The Collection of Hindu Law Texts Vol. II. Part III.

YÂJŇAVALKYA SMRTI

WITH THE COMMENTARIES OF

- (1) The MITAKSHARA by Vijnanes'vara Bhikshu
 - (2) The VIRAMITRODAYA by Mitramis'ra

AND

(3) The DÎPAKALIKÂ by S'ûlapâni

Vyawahârâdhyâya.

Chapters I-VII (Pages 631-976)

An English Translation with notes, explanations etc.

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Second Edition

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PREFACE.

As announced last year when the second part of the Acharadhyaya was published, the first part of the Vyawaharadhyaya is now being issued. This portion consists of Chapters I-VII which give the General and Special Rules of Procedure, the laws of Debt, Pledges, and Deposits, and the provisions as to Witnesses, Documents, and Ordeals. It will thus be seen that the portion now issued in this Part consists of the Procedure or the Adjective law of the Surti. The next Part which will consist of Chapters VIII-XXV contains the Substantive portion of the Smrti.

As announced before, the translation now issued consists of

- (1) The Original Smrti of Yajnavalkya.
- (2) The commentary called the Mitakshara by Vijnines vara.
- (3) ,, ,, Viramitrodaya by Mitramis'ra and
- (4) " " " " Dîpakalikâ by S'ûlapâņi.

In the First Edition which was issued in 1914, only the Smrti of Yajñavalkya and the Mitakshara were included in the translation.

The two commentaries of the Viramitrodaya and the Dipakalika were subsequently secured from the Library of the India Office. The commentary of the Viramitrodaya has also been published in the Choukhamba Sanskrt Series of Benaras and the Dipakalika is being published in entirety in this Series. It will be remembered that the translation is being issued in handy volumes of about 400 pages for the convenience of subscribers.

The Second Part of the Smrtimuktaphalam by Śri Vaidyanatha-Dikshita is also being sent out along with this volume.

The next instalment will consist of:

- (1) The English Translation of the remaining portion of the Vyawahârâdhyâya of the Yâjñavalkya Smṛti, with the three Commentaries.
 - (2) The Sansket Text of the Dipakalika by S'ulapani.

 The assistance of my son Bal has, as usual, been of much use.

Girgaum, Bombay.
15th March 1938

J. R. GHARPURE. Editor.

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STRĪ YAJNAVALKYA-SMŖTI

TOGETHER WITH THE COMMENTARY CALLED

MÍTÁKSHARÁ

OF

S'RĪ VIJNANES'WARA

AND THE COMMENTARIES

OF

VIRAMITRODAYA BY MITRÂMIS'RÂ

AND

DĪPAKALIKĀ BY S'ŪLAPĀNI

SECOND BOOK

ON VYAWAHÂRA: POSITIVE LAW.
Chapter I.

OF THE RULES OF PROCEDURE IN GENERAL.

Introductory.

Of a king possessing the (necessary) qualifications of anointment &c. the protection of the subjects is the highest duty; that, (i. e. the protection) however, is not possible without punishing the guilty. The detection of the guilty, moreover, is not possible without the administration of justice (Lit. holding a trial). That suits should be tried daily has already been said viz. that "a king should attend personally to the administration of justice every day, surrounded by (or with the help of) the Councillors." The various details of a trial viz. its nature, its kinds, and its procedure have, however, not been described, and the Second Book is being commenced for describing these.

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Yâjñavalkya, Verse 1.

The king, divested of anger and avarice, should administer justice along with learned Brahmanas, in conformity with the principles of legal science.

^{1.} Acharadhyaya Verse 360.

Mitâksharâ:—Vyawahárân, &c. judicial trials &c. a complaint against another and having relation to one's self is a Vyawahâra¹. As for example—where a certain

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1. The word agast—has been severally explained from several points of
       view. viz. (1) Its intrinsic character, (2) Its function. (3) Its functionaries,
       (4) Its component parts, (5) The means by which a suit is decided, (6) Its
       kinds, (7) The results, (8) Its defects or flaws &c. and (9) The time and place.
               It is therefore necessary to note its aspects from all these points of view:---
  5
               I Its intrinsic character, Katy ayana gives a derivative meaning thus:-
                 वि नानार्थे अव संदेहे हरणं हार उच्यते । नानासंदेहहरणात् टयवहार इति स्पृतः ॥ २६ ॥
               Yājnavlkya; स्मृत्याचारःयपेनेन मार्गेणाधर्षिनः परैः। आवेदयति चेद्राज्ञे व्यवहारपदं हि तत्।।(व्य. ५)
               Vyawahara Mayukha. विमृतिपाद्यमाननरातरागताज्ञ ताधर्मज्ञापनानुकुले। व्यापारः (पृ. १ पै १२).
               II. The functional aspects have been stated by Katyayana (25).
10
               प्रयत्नसाध्ये विच्छिन्ने धर्माख्ये न्यायविस्तरे । साध्यमुलोऽत्र यो वादो व्यवहारः स उच्यते ॥
               Nárada.. धर्मश्र व्यवहारश्च चरित्रं राजशासनम् । चतुष्पाद्यत्रहारोऽयमुत्तरः पूर्ववाधक: ॥ (I, 10)
               III. Its functionaries.
               राजा स्वयुरुषः सभ्यः शास्त्रं गणकलेखकौ । हिरण्यमन्निरुदकमष्टांगः समुदाहृतः ॥
               IV. Its component parts: Nârada—(I, 8.-9)
15
               स चतुष्पाचतुःस्थानश्चतुःसाधन एव च । चतुर्हितश्चतुर्व्यापी चतुष्कारी।ति कीर्त्यते ॥
               अष्टाङ्कोऽष्टादशपदः शतशाखस्तथैव च । त्रियोनिर्व्याभयोगश्च द्विद्वारो द्विगतिस्तया ।।.
               See also Yajñavalkya Verse 8 further on.
               V, VII, VIII. The means, results, and flaws. Narada (I, 12-13)
20.
               सामायुपायसाध्यत्वाञ्चत्रःसाधन उच्यते । चतुर्णामाश्रमाणां च रक्षणात्स चतुर्हितः ॥
               कर्तृनथी साक्षिणश्च सभ्यान् र जानभेव च । ज्यामेति पादशी यस्माचतुर्व्यापी ततः स्मृतः ॥
              पादो गच्छाति कर्तारं पादः साक्षिणमृच्छति । पादः सभासदः सर्वान्पादो राजानमृच्छति ॥ (III, 12)
              धर्मस्यार्थस्य यशसो लेकपङ्कतेस्तयैव च । चतुर्णी करणादेषां चतुष्कारी प्रकीतितः ॥
              Brhaspati: केवलं शास्त्रमाश्रित्य न कर्तन्यो विनिर्णयः । युक्तिहीने विचारे तु धर्महानिः प्रजायते ॥
25
               Gautama (११, १९, २३, २५)—' वेद्रे धर्मशास्त्राण्यङ्गान्युपवेदाः पुराणम् '। also, '' न्यायाधिगमे
      तकों इभ्यपायः । नेनाभ्यस्य यथास्थानं गमयेत् । विभितपत्तीः त्रैविद्यबुद्धभ्यः प्रत्यवत्दृत्य निष्ठां गमयेत् ''.।
              Brhaspati: ( E, 20-10 )
              द्विपकारा किया प्रोक्ता मानुषी दैविकी तथा । साक्षिलेखानुमानं च मानुषी विविधा समृता ।
      and Narada says घटाद्या धर्भजाता च दैविकी नवधा स्मृता ।
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              धर्मशास्त्राश्वश्रास्त्रात्यामिवरोधेन मार्गतः । समीक्षमाणो निपुणं व्यवहारगतिं नयेत ॥
              मिनज्ञोत्तरसंशयहेतुपरामर्शयमाणानिर्णयप्रयोजनात्मको व्यवहारः, मिताक्षरा पृ ३ पै. २६.
               VI. Its kinds have been given by Manu as eigh een, Oh. VIII. 4-7
      see page 634 further on. Nárada enlarges these to 108. see I. 20.
               VII. As to the result note this text of Hirita
              स्वधनस्य यथा प्राप्तिः परधर्मस्य वर्जनम् । न्यायेन यत्र क्रियते व्यवहारः सर्गःच्यते ॥
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              Apararka—describes it as 'consisting of the plaint of the plaintiff, the
      answer of the defendant, and the evidence' बादिप्रतिवादिनी: क्रियात्मक:।
              Narada तत्र सभ्ये स्थितो धर्मो व्यवहारस्तु साक्षिषु । चरित्रं पुस्तकरणे राज ज्ञायां तु शासनस्य।
              पादा गच्छति कर्तारं पादः साक्षिणमुच्छति । पादः सभासदः सर्वान्पादा राजानमुच्छति ॥
              चौरे। उचे र: साध्वसाधु जायते व्यवहारतः । युक्तिं विना विचारेण माण्डव्यश्चीरता गतः ॥
40
              IX. As to the time, Kâtyâyana ob erves.
              आदादन्होऽस्मामाधदूर्भं मामत्रयं मवेत । स कालो व्यवहारस्य शास्त्रे दृष्टो मनीविभिः ।।
              Brahaspati describes the place of justice thus:-
              दुर्गमध्ये गृहं कुर्याज्जलवृक्षाभितं पृथक् । पाव्हिशि पाङ्गुर्खी तस्य लक्षण्यां कल्पयेत्समाम् ॥
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Vyawahâra defined.

subordination.

person says that the land &c. is his, and any other also says in contradiction to him, that it is his.

The Author indicates its i. e. of the Vyawahâra-variety by the (use of the) plural. By the word nrpa, i. e. king, the Author indicates that this is not the duty of the kṣhatriya order alone, but also of any other endowed with the authority to govern the subjects. Pas'yêt—should administer, &c. is a repetition (by way of corroboration) of what was said before and is intended as laying down a special duty. Vidwadbhih, along with the learned,—with (the

help of) those (who are) well-versed in works on legal science and the Vedas, grammar &c.

Brâhmanâh. legal science and the Vedas, grammar &c. Brâhmanaih, with Brâhmanas,—not Kshatriyas or others. By the expression, 'Bràhmanas' introduced by the Instrumental case, their subordination is indicated, from the grammatical aphorism¹ 'conjunctive use with Saha (the preposition with) indicates

Hence, in the case of absence of an investigation, or for a false decision, the fault would be that of the king, and not of the Brahmanas. As observes Manu: "-"A king, punishing the innocent (Lit. unpunishable), and not punishing the guilty (Lit. deserving punishment), brings great infamy on himself and goes to hell". By what procedure

(should he try suits)? dharmas'âstránûsāreņa, in conformity with Dharma S'âstra³ (Science of religion and law) and not with the science of politics. The established usage and law of the country &c. have not been separately mentioned, as they form a part of the subject matter of legal science, in so far as they (such usage and law) are not inconsistent with the general principles of legal science. And as the sage Yâjñavalkya has said⁴ later on, "a custom which is not opposed to law should be carefully maintained, as also the law or

usage made or established by the king". Krôdha-lôbha-vivarjitah, &c., divedted of anger and avarice &c.. When it is established that it (i. e. the administration of justice) should be in

^{• 1.} Pâṇini. II,-3-19. (सहयुक्तेऽपधाने।)

^{2.} Oh. VIII. 128.

^{3.} For the extent and scope of the expression Dharma-S'astra see the General Note on the Hindu Law Texts.

^{4.} Bk. II. 186,

conformity with the principles of legal science, the mention of the additional condition (that the king should be) "divested of anger and avarice" is indicative of a special injunction (आइराधेम्) Krôdha anger—intolerance. Lôbha avarice—excess of greed. (1).

Viramitrodaya.

"The judicial proceedings, he himself should investigate, surrounded by the councillors, every day", what has been thus stated in the last Book, the Author now elaborates in detail by a separate Book.

Yâjñavalkya, Verse, 1.

Here, although the investigation of a judicial trial has been stated in the last Book, still a judicial trial with all its parts being set out in this Book only, it is called the Book on Vyawahara. There, moreover, these are the Chapters: viz.

	CHOSO STO	erro Orraheora . 1171		
	I.	Chapter on the Rules of	XIII.	Breach of Contract of
15		Judicial Procedure. Verses 1-36.		service. 182-184
	ΙΙ٠	Payment of Debts-Verses	XIV.	Breach: of Contract.
		37– 64.		185–192.
0.4	III.	Deposits. Verses 65-67.	XV.	Non-payment of Wages.
20			~~~~	193–198.
	. IV.	Witnesses. Verses 68-83.	XVI.	Gambling and Betting.
				199-203.
	٧.	Documents. 84-94.	XVII.	Slander and Abuse.
				204-211.

- XVIII. VI. Assault. 212-229. 25 Ordeals. 95-113. Dâya. XIX. VII. Partition Sâhasas. 230-253. of Verses. 114-149. VIII. Boundary Disputes 150--158. XX.Non-delivery after Sale.
 - IX. Disputes between the own- XXI. Partnership. 259-265.
- 30 IX. Disputes between the own- XXI. Partnership. 259-265.
 ers and keepers (of cattle)
 Verses 159-167
 - X. Sale without ownership. XXII. Theft. 266-282. Verses. 168-174.
- 35 XI. Non-completion of gifts. XXIII. Protection of Women.

 Verses 175-176. 283-294

 XII. Rescission of a Sale. 177-181 XXIV. Miscellaneous. 295-307
 - XII. Rescission of a Sale. 177-181 XXIV. Miscellaneous. 295-307

- 2. See verse 360 Achāradyāya p. 620 above.
- 3. Viśvarupa makes it further clear: एकत्वेऽपि व्यवहारस्य स्वकीयविश्वेषापेक्षया बहुवचनम् । यथाह मनुः 'तेषामायमृणादानम् '—— नारदश्च 'चतुष्पादश्चतुव्यापी'—

^{1.} The meaning is that the king is asked by the general law that he should administer justice according to religion and law, but in particular he is asked to cast off all anger and avarice.

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Vidwadbhi, 'along with the learned', i.e., men well conversant with the principles of legal science; brahmanaih, 'with the Brahmanas'; saha, 'along with'; nrpah, 'the king'; from anger and avarice being particularly averse; Dharmasastranusarena, 'in conformity with i.e., without detriment, to Dharma and S'astra, "Dressed in decent attire, the king after going to the court house, with close attention, being seated with face towards the East, should investigate the cases of suitors" in this and the like manner, suits containing the plaint and the answer, pas'yet, 'should administer', i.e., should investigate.

By the word $nrpa^2$ is included one even other than a Kshatriya, who is a protector of subjects. Brahmanaih is the principal course. If that is not possible, then along with Kshatriyas or Vaisyas also, as has been stated before. The particular mention of Dharmasastra is with a view to point out its chief importance; for in the investigation, the science of polity may also have to be followed. That has been stated by $Katyayana^4$: "By those experts in the Dharmasastra and versed in Arthasastra". On a conflict between the Dharmasastra and the Arthasastra, however, the greater or less potentiality will be stated later on.

As to the etymology of *Vyawahâra*, Kâtyâyana⁵ says:, "Vi, has the sense of many; ava, means doubt, harana or removal is expressed by hâra; 20 by reason of the removal of several doubts, it is known as *Vyavahâra*."

That, moreover, of this character is of two sorts. As says Narada6: "Attended by a wager, and not attended by a wager; this should be known to be of two kinds. It is 'attended by a wager' where a party takes in writing a certain sum which has to be paid besides that in dispute." 'He who is defeated in this proceeding, shall pay so much

^{1.} See Kâtyâyana Verse, 55.

^{2.} i. e. who occupies the position of a Ruler of the people.

^{3.} See Page 621 lines 14-21.

^{4.} Verse 57. By adopting this quotation from Kātyāyana, it is indicated that the study of the principles of Political science was a necessary part of the accomplishment of one to be appointed to investigate cases.

^{5.} Verse 26.

^{6.} Introduction 4. With this aspect of a suit the student may with advantage compare the Actio Sacramentum of the Roman Law. The two resemble in both aspects.

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penalty to the successful party or to the king' in this or a similar form where a condition or wager like this is laid before the writing down of the Plaint, that is 'a suit with a wager'; one other than this is 'a suit without a wager'.

It has been stated: 'in accordance with the *Dharma S'âstra*'; there, the Author mentions the position of the *Dharma S'âstra*, i.e., by reference to the entire treatise. Thus indeed becomes congruous the mention hereafter of the witnesses, disputants, &c., since these are incorporated into the Dharma S'âstra. (1).

S'ulapâni

In regard to the Recovery of Debts and several other titles at Law such doubts as arise are removed by this, and therefore, this deliberation which removes doubts as to the several points is called Vyavahára or a Judicial proceeding. So Kâty yana: '-' Vi, has the sense of many; 15 ava, means doubt; harana or removal is expressed by hāra; by reason of the removal of several doubts, it is known as Vyavahâra." Tān, these judicial proceedings, the Lord of the land, should himself personally investigate, and in company with the Brāḥmanas knowing the Dharma-śāstra. In accordance with the rules of the Dharmaśāstra regarding the Plaint, the Answer, the Proof, the Trial and the Decision, and not through anger, or hatred, nor through avarice, nor by partiality. Although it has been said that the king should himself investigate? judicial proceedings, still this is a subsidiary condition of the principal point viz. investigation according to the principles of Dharma Sāstra. (1)

Yâjñavalkya, Verse 2.

A king should select as his Councillors those persons who have become accomplished by learning and study, who know the law, who speak the truth, and who are the same to friends and foes alike. (2).

- 1. Verse 26.
- 2. Verse 360. निर्णयेत्—The use of this expression has the sense of investigation carried to a decision.
- 3. धर्मशास्त्रणाति गुण विधानार्थमयमतुवाद:—गुण and अनुवाद—The principal of the chief point is गुण, and the subsidiary or subordinate one is अनुवाद.
- 4. The words Councillors and Assessors are separately used here to bring out the distinction between निरुक्त (appointed) and अनिरुक्त (unappointed). The word सद्य stands for those who are appointed. and has been translated as Councillors. The word Assessors refers to those learned Brahmanas who voluntarily go to a court and are referred to in verse I, above. Of. the Judex, and the Recuperatores of the Roman system.
 - 5. i. e. of the Vedas.
 - 6. Impartial to friends and foes as well.

Mitâkṣharâ.—Further, S'rutēna, by learning, by studying the Mîmânsâ (the science of Interpretation),
Page 2. Grammar etc; and also adhyayanēna, by study,
i.e. the study of the Vedâs; sampannâh, accomplished; dharmajñyáh, knowing the religion, i.e. those who
know religion and the science of law; satyawādinah, who speak
the truth, i.e. who have (established) a character for speaking the truth.

Ripau mitre cha ye samâh, same to friends
Sabhyas (Counand foes alike, unaffected by feelings of hatred,
cillors) described. love &c. Men of this description should be invested
as councillors by the king, after conferring upon
them gifts, and other tokens indicative of respect, that they may
(become fit to) attend or sit in the meeting or assembly, sabhâsadah.

Although the expression 'accomplished by learning and study' has been used without particularisation, still Brâhmanas only (are meant). As says Kátyāyana¹:—"Moreover, he (i. e. the king), accompanied by assessors or councillors, who are steady, special scholars, of high parentage, and who are the best of Bráhmanas, who are clever in interpreting the meaning of *Dharma S'astra*, and who are accomplished in politics."

Those to be selected, moreover, should be three, the plural having been used with a (special) purpose; and also there being a text of Manu² viz:—"In the place where three Brâhmaṇas, versed in the Vedâs, sit down." Bṛhaspati³, however, intimating that the councillors should be seven, five, or three, observes: "Where, Viprâs (Bráḥmaṇas) knowing the usage of the people and the Vedâs, as well as the law, and being either seven, five, or even three, are sitting, that assembly is equal (in Sanetity) to a sacrificial assembly". It should not, moreover, be supposed that (the words) "accomplished by learning and study" and others, are adjectival of Brâḥmaṇas referred to in the last verse in (the expression) "along with Brāḥmaṇas," it being imposisible that words having the Nominative and the Instrumental termination at their end, should be connected as an adjective and the word qualified (by it), as also on account of the possibility of the fault of repetition being committed by the use of the expression "by the learned".

1. Verse 57. 2. Oh. VIII, 11.

3. Ch. I. Verse 11.

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Moreover, Kâtyâyana¹ has brought out clearly the distinction between the Brâḥmaṇas and the Councillors thus:—"A king attains heaven, who investigates disputes according to law, with the help of the Chief Judge, the minister, the religious preceptor, the Brâḥmaṇas, and the Councillors." There, the distinction is that the Brâḥmaṇas are not appointed, while the Councillors are appointed. Hence also it is said² "whether appointed or not appointed, he who knows the law is entitled to speak".

Among these, those who are appointed should advice the king on the facts as they stand, and if he would act otherwise, 10 then they should dissuade him, otherwise they would be guilty. Kâtyâyana has also said:—"The councillors who follow him, even when he acts with injustice, are co-sharers with him in it (the injustice); therefore the king should be warned (advised) by them." Of the unappointed, however, the sin occurs only when they speak a false-15 hood, or do not speak at all; not when they do not dissuade the king. As Manu' has said :- "Either the court must not be entered, or the truth must be spoken; a man who either speaks nothing, or speaks falsely becomes sinful (guilty)." Ripau Mitré Chêti, to friends and foes, &c., in this clause by the (use of the) word cha is indicated that the court should also have the attendance of a few merchants for the satisfaction of the people. As says Kâtyâyana⁵: "Attended by a few tradesmen of good family, free from malice, and possessing the qualification of high birth, character, age, good behaviour affluence, and family tradition." (2). 25

Viramitrodaya.

There, moreover first, in regard to the statement "along with learned Brahmanas" while explaining the learning, the Author discusses the Brahmanas

Yajnavalkya, Verse 2.

S'rutam, 'learning', i.e., with the help of the Mimansa and the like, understanding the meaning; accompanied by that, with the study of the Veda and S'astra, accomplished, i.e., possessed. Therefore also dharmajaah, 'who know the law', i.e., who are clever in discriminating the dharma and the non-dharma; and therefore also who have a character for truth-speaking. Ye ripau mitre cha samah, 'who are the same to foes and friends alike' devoid of hatred, anger, etc., those

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^{1.} Verse 56, see note 4 on p. 636 2. By Narada, III, 11. 3. Verse 75.

^{4.} Oh. VIII. 13.

^{5.} Verse 58.

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Brahmanas should by the king be made councillors, i.e., who will attend the courts. The meaning is that honour and respect, etc., should be so ordained for them that they may attend the court for the deliberations. By the use of word $ch\alpha$, 'and ', are included the indifferent.

By the use of the plural number, the Author intends the particular number stated in other Smrtis. So, moreover, Manu!: "In the place where sit down three Brahmanas knowing the Vedas." Brhaspati² also: "seven, five, or three may be the Councillors." Really, however, the inclusion of the unappointed Brahmanas having been stated before, even apart from those, this verse is intended to direct others to be made councillors. Hence it is that the Chief Justice, and the ministers, together with the Brahmanas and the Purchits have been stated by Katyayanas. After premising the investiture, it has been stated: "Attended by a few merchants of good family, possessing the qualifications of high birth, character, age, good behaviour and affluence, and free from malice." By Manu⁴ also has been said: -" In transactions between tradesmen and artisans, and also among persons subsisting on agriculture, or on the stage, where a decision is impossible to be reached, it should be got done by the experts in the lines themselves." This is only indicative. The point is that whoever is a specialist in a particular matter, by him indeed that matter should be got decided.

Brhaspati⁵ mentions persons necessary for (a court of) justice: "The king should appoint two persons-an accountant, and a scribe-who know the principles of the science of words and names, have studied the lexicons, who are skilful accountants, who are pure, and who are acquainted with the various alphabets. For summoning and guarding the witnesses, the plaintiff, and the defendant, a truthful and confidential man should be appointed, subject to the authority of the Councillors." (2)

S'ulapâni

The Author mentions the councillors Yajnavalkya, Verse 2. 30

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Accomplished with the knowledge and the meaning of the Vedas, and the study of the Vedas; who know the Dharma śāstra; and who by habit

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^{2.} Ch. I. Verse 11. 3. Verse 58. 1. Ch. VIII, 11.

^{4.} This verse is not found in Manu; see however Brhaspati I. 26. See Raghunathji Tarachand vs. Bank of Bombay I. L., R. 34 Bom. 72, at p. 78.

^{5.} Ch. I. Verses 14, 15.

सभ्याधीनः

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are truth-speakers; those who are of an even mind towards an enemy as also to a friend; such should be appointed councillors.

Kâtyâyana¹ states a special rule: "He, moreover, accompanied by councillors, who are steady, special scholars, of high parentage, and who are the best of Brāhmaṇas, who are experts in the *Dharma Sástra*, and are accomplished in the science of polity; along with the chief judge, the minister, the religious preceptor, the Brāhmaṇas, and the councillors, the king who investigates disputes, attains heaven, and retains it according to Dharma." (2)

It has been laid down that 'the king should administer justice'; the Author mentions a secondary course

Yájňavalkya, Verse 3.

Unable to attend to the administration of justice on account of other engagements, by a king should be appointed (in his place) to work along with the Councillors, a Brāḥmaṇa, knowing all laws.

Mitâksharâ:—On account of his being engrossed in other works, vyawahârân apas'yatā, unable to attend to the administration of justice; nṛpeṇa, by a king; sabhyaih saha, along with the Councillors, referred to above, sarvadharmavit, knowing all laws, all laws i.e. laws laid down in the S'âstrâs, as also the customary laws; knows i.e. (considers) discriminates; such a one is he who knows all laws; Brâḥmaṇa, a Bráḥmaṇa, and not a khatriya or any other; niyoktawyaḥ, should be appointed, for deciding disputes.

Moreover, such a one possessing the particular qualities laid down by Kátyáyana² should be made. Says he:—"He should be self-restrained³, high-born, impartial, not overawing, calm, god-fearing, religious, and devoid of anger."

^{1.} Verses 57, 58.

^{2.} See Verse 64.

^{3.} दान्तं. The other reading is दक्ष vigilant.

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In the absence of a Brâhmana of this description, he should appoint a Kṣhatriya, or a Vais'ya, but not a Page 3. S'ûdra. As says Kâtyâyana¹:—"Where a Brâhmana is not available, he (i. e. the king) should appoint a Kṣhatriya, or a Vais'ya who knows the Dharma S'âstra; a Sûdra should be avoided by all means."

By Nârada² also this very thing has been indicated prominently:—"Placing before him Dharma-S'âstra, and adhering to the opinion of the Chief Judge, with a calm mind (or concentrated attention), he should decide suits in due order." 'Adhering to the opinion of the Chief Judge, i. e. not posting himself in his own opinion. As in the expression, 'the king observes the enemies' army with the eyes (in the form) of spies', the term Chief Judge is here used in its etymological sense. He who questions the plaintiff and the defendant is a prât; and he who sifts or discriminates their statements, the inconsistent from the consistent along with the assessors, a vivâka; he who is a prât as well as a vivâka is a Prâdvivâka. Moreover, it has been said: "He is called Prâdvivâka, because, after consulting him, the king, in company with the councillors, decides disputes after an inquiry relevant to the matter at issue." (3)

Viramitrodaya.

"Judicial proceedings he should himself personally investigate" thus it has been stated in the last book. When, however, that is not possible, the Author mentions a course

Yâjñavalkya, Verses 3.

Owing to being absorbed in concentrating himself upon other matters and therefore unable to investigate judicial proceedings, by such a king, along with the councillors, a Brâhmana knowing all laws and rules useful for a lawsuit should be appointed for the purpose of investigating law suits. This is the meaning. Here Katyayana states a

- 1. Verse 67.
- 2. Oh. I. 35.
- 3. By Vyása. See Smrti Chandrika, P. 17, L. 3.
 - . 4. Verse 64.

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special rule. "One who is self-controlled, well-born, impartial, not likely to create distrust, who is firm, afraid of the next world, devoted to religion, industrious, and devoid of anger." In the absence of such a Brahmana, a Kshatriya, or a Vais'ya should be appointed, so has been stated above.

So says Narada1: "The affairs of the ascetics should be got determined by only those who are learned in the three lores, as also of those who are versed in sorcery and witch-craft; and not himself, for fear of creating resentment." The meaning is that those from whose anger there may occur danger, the investigation of (the disputes of) these should be caused to be made through men of their kind alone.

Even when a determination is made by himself, the co-operation of the Chief Judge is certainly contemplated. So observes Narada²: "Placing before him the *Dharma-S'astra*, and addhering to the opinion of the Chief Judge, he should decide suits in due order, with a calm, i.e., concentrated mind." (3).

S'ûlapâni.

When the investigation of disputes is not possible to be made by himself personally, the Author states a course

Yâjñavalkya, Verse 3.

One knowing well all laws i. e. of the country, the caste, and the rest. In the absence of a proper Brāhmaṇa, a Kshatriya, or a Vaiśya may even be appointed, as says Kātyāyana³: "If a learned Brāḥmaṇa be not available, one may appoint there a Kshatriya, or a Vaiśya who knows the Dharma śāstra; a śudra, one should avoid with effort." So also Manu⁴: "A Brāḥmaṇa who subsists only by the name of his caste (jātî), or one who merely calls himself a Brāḥmaṇa, may interpret the law of the king, but never a S'udra. Of that king the administration of whose laws is made by a S'udra, the kingdom will sink 30 (low) like a cow in the mud." (3)

^{1.} Not found in Nārada, but see Brhaspati, I. 27.

^{2.} Ch. I. 35. 3. Verse 67.

^{4.} Ch. VIII, 20-21,

The Chief Judge and the other councillors if out of passion &c. decide a dispute in departure from the dictates of the Smrtis, then what should a king do? so the Author says

Yâjñavalkya, Verse 4.

4. Out of passion, avarice, or even through fear, councillors acting in departure from the rules of the Smrtis or from a similar cause, should each be separately punished with a fine double of that in dispute.

Mitâksharâ:—Moreover, the aforesaid Sabhyâh, councillors, on account of the uncontrolled sway of Rajas1 or passion, being 10 affected by it, ragat, out of passion, i.e., on account of excessive attachment; lobhat, from avarice, i.e., on account of excess in greed; bhayat, from fear, or on account of excessive tribulation, smrtyapetam, in departure from the Smrtis i.e. opposed to the Smrtis. The term Âdi or from a similar cause, indicates doing something which is a 15 deviation from custom; prthak prthak, severally, each one severally. Vivadat, of that in dispute, of the amount accruing as damages on account of a defeat in the suit; Should be punished with a double of the fine, dwigunam damam; not however (double) of the amount which is the subject matter of dispute. If it were so, there would 20 be the possibility of an absence of fine in disputes regarding adultery or seduction and the like. The use of the words passion, avarice and fear is to limit the double fine to (the cases of) passion &c. only, and not to (extend it to the case of) ignorance, mistake &c.

Moreover, let it not be supposed in consequence of the 25 text of Gautama² viz. "a king has power * [P. 3. L. 16.] over all, excepting Brāhmanas," that Brāḥmaṇas, are exempt from punishment, as the text is intended to be eulogistic only.

As to what has been said³ viz., 'that he (i.e. a Brâhmana, 30 should be exempted by the king from six (punishments), viz. that he should not be killed, imprisoned, punished, exiled, deported or

^{1.} The second of the three qualities viz. Satva, Rajas and Tamas.

^{2.} Gautama 11, 1.

^{3.} Gautama VIII. 12, 13.

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made destitute (deprived of his effects),' that holds in the case of one¹ "who is a well-read scholar, one who knows the usages of the people, who is versed in the Vedas and the Vedangas, who is an expert in the art of controversy (or in expounding controversial points), in History and the Purāṇas, who is a constant student of the same, and who follows them in life, who is purified by the forty-eight purificatory ceremonies,² who devoutly observes the three duties³, or one who has been trained in the six⁴ customary duties of life." Thus it (i.e. the exemption) applies only to one who has acquired a versatility of knowledge as detailed above and not to any Brâḥmaṇa merely as such. (4)

Viramitrodaya.

For the Councillors giving an unjust decision, punishment should be administered by the King; so the Author says

Yâjñavalkya, Verse 4.

On account of being oppressed by passion, etc., in departure from the Smṛtis, i.e., opposed to the Smṛtis—by the use of the word âdi, etc., opposed to the usage of the country' &c. also should be included. Sabhyāḥ, 'Councillors', for the purpose of investigation appointed to the assembly, as far as the Chief Judge, pṛthak pṛthak, 'separately' each one, vivâdât, 'of that in dispute, consequent upon a defeat in the dispute under consideration, from the penalty in the form of an imposition of a money fine, dwiguṇam damam, 'double the penalty', daṇḍyâḥ, 'should be punished', i.e., should be made to pay.

By the use of the word api, 'or also', are included those not known. So says Kâtyâyana': "After correctly comprehending the result of the suit, the Councillor should then speak; otherwise one must not speak; he who speaks gets twice the penalty. By reason of the

^{1.} Gautama VIII. 4-11.

^{2.} viz. Gautama details these at Ch. VIII. 14-22.

^{3.} These are : study, sacrifice, and almsgiving (अध्ययनेज्यादानानि).

^{4.} These are: the three last with the addition of अध्यापनयाजनप्रतिश्रहाः Teaching, officiating at a sacrifice, and receiving gifts. See Yâjñava!kya I. 118.

^{5.} Verse 80-81.

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fault of the Councillor, whatever is lost, should be replaced by the Councillor as it was before; a dispute, however, when settled by the disputants themselves, one should not investigate."

Thus what has been decided after a proper deliberation may be considered again, and no penalty (should be imposed) out of irritation due to the defeat of the plaintiff.

There, "Councillors declaring an unjust decision, and similarly those who subsist on bribes, as also those who are guilty of a Breach of Trust, all these must certainly be banished", the (rule of) punishment thus declared by Brhaspati should be observed. (4).

S'ulpani Yâjñyavalkya, Verse 4.

These, the councillors declaring falsely, should each be punished with the penalty double that for the defeated party. By the use of the word api 'even' is included one digressing away from the judicial proceeding (4).

The Author mentions the nature of a Vyawahāra Yâjñavalkya, Verse 5.

If one injured by others in a way which is a violation of the (laws of) Smrtis and usage, informs the king, that 20 becomes a (fit) subject for a Judicial Proceeding. (5)

Mitâksharâ:—Mârgēṇa, in a way, opposed to legal science and general usage, paraiḥ, by others, âdharshitaḥ, injured, i.e. attacked; which, râjñe, of a suit.

to the king, or to the Chief Judge, âvedayati, informs, i.e. respectfully complains, Chet, in case,

of that, tad, which forms the complaint, is the subject matter of a iudicial proceeding, Vyawaharapadam. Vyawahara or a judicial proceeding is that which has for its component parts, the plaint, the answer, the doubt, reasons, deductions, the evidence, the decision and the reasons thereof; its pada, its (i. e. of Vyawahara) subject. This is its general definition.

That (Vyawahâra) morever, is twofold: a plaint founded on suspicion, and a plaint founded on facts. As says Nârada¹:—"A

1. I. 27.

plaint is known to be of two kinds; a plaint founded on suspicion, and a plaint founded on facts; (on) suspicion in consequence of (defendant's keeping) bad company; (on) facts, when the stolen goods have come to light". By Hodhā is meant, the goods stolen or any other evidence (thereof). By "goods coming to light", therefore is meant, tracing (the offence) by circumstantial or direct proof. A plaint founded on facts is moreover two-fold; (1) Containing the statement of a denial; and (2) containing the statement of an active wrong (by the defendant). As e. g. "Having taken gold &c. from me, he (the defendant) does not give it back.", "He (the defendant) deprives me of my land &c." Kâtyâyana¹ also has said:—"who does not himself wish to do what is just, or does an unjust act."

This (Vyawahâra) moreover is divisible into 18 kinds. As says Manu2:--"Of these (1) the first is the Re-**1**5 covery of debts; (2) Deposit, (3) Sale without * Page 4. ownership, (4) Concerns of several partners together, (5) and Resumption of gifts. (6) Non-payment of wages. (7) Breach of contract, (8) Rescission of sale and purchase, (9) Disputes 20 between the owner (of cattle) and his servants; (10) the law of Boundry-disputes, (11) Assault, (12) and Slander; (13) Theft, (14) Heinous offences. (15) Adultery or seduction; (16) Duties of husband and wife; (17) Partition; (18) and Gambling and betting. These are in this world the eighteen topics of Judicial Proceedings. Even these have become multiplied into many more by the varieties 25of the points at issue. As says Narada3:- "Their branches amount to one hundred and eight. It (a judicial proceeding) is said to have a hundred branches on account of the multifariousness of human transactions."

The author points out that by the expression 'if he informs the king' is meant, he himself voluntarily goes and informs, and not under instigation of the king or his servants. As says Manu⁴.

"Neither the king or any servant of his shall themselves cause an

^{1.} Verse 139. न्यायस्य is another reading.

^{2.} Oh. VIII. 4-7.

^{3.} I. 20.

^{4.} Oh. VIII. 43.

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action (lawsuit) to be started, or hush up one that has been brought by another." Paraih, by others, i. e. by one, two, or many others; the Author indicates hereby that a dispute may arise between one man, and one, two, or many men. The text of Narada viz.—"Men conversant with law lay down that disputes between one and many, with women, and with servants, are inadmissible as a suit" refers to suits having different causes of action.

By the expression 'informs the king' is also meant 'that clad in a decent or simple dress, the plaintiff should inform the king' when questioned by him. When the complaint is proper, (i. e. according to law), then the summoning of the defendant by sending a seal &c., and the non-summoning of those that are beyond the court's jurisdiction, or exempt from it (as being afflicted with disease) being evident from the context, has not been expressly mentioned. moreover, has been clearly laid down in another Smrti2: "At the (proper) time, he (i. e. the king or his proxy) should thus inquire of the applicant³ standing and speaking before him: what is your suit for, and what is your grievance? Don't fear, speak, O man! By whom, where, when and for what (have you been) troubled? Thus should he ask one who has come Thus interrogated, what he speaks (as grievance) he (i. e. the king) should consider along with the Councillors and the Brahmanas; and if the complaint be proper or one according to law, (an order bearing) the seal, or a messenger, should be sent to summon him (defendant).

"The king should not cause to be summoned a person who is afflicted with a disease, a minor, the old, one in difficulty and one engaged in (religious) duties; mons may or (nor) a person who would suffer great loss⁴ if he were summoned, a person afflicted with pain (caused by the separation of relations); persons engrossed in the king's service, or in celebrating festivals; the

^{1.} The Balambhatti and the Vis'wes'wari give an alternative meaning thus: "nor should he accept a plaint presented unjustifiably by a party."

^{2.} Kâtyâyana Verses 86-88.

^{3.} Plaintiff:—Lit: one who pleads his cause in court. The reading given in the foot-note is adopted: another reading is 'standing in a humble posture.'

^{4.} Bâlambhatti P. 9 L. 5 &c.

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intoxicated; persons possessed by evil spirits; idiots or the insane; the aggrieved, or persons who are dependents; (nor) a young and helpless woman, a high-born lady, a woman recently delivered, a maiden belonging to the highest tribe; (because) these females are declared to be dependent on their tribes. ¹A summons is allowed against women upon whom their families are dependent, profli-Exceptions. gate women, and those who are prostitutes, as also against such as are of low birth or are degraded. Taking into consideration the time and the place, as also the importance or otherwise of the cause, the king may cause even the infirm &c. to be summoned and brought comfortably by means of conveyances. He may even summon, in weighty matters, hermits and the like, who have retired into the woods, after² notice of the

complaint taking care however that he thereby does not give any offence."

The law of arrests which is plain in itself, has been laid down by Nârada4:--"A plaintiff should arrest a defendant who absconds when the cause is about Arrest. to be tried, and one who disregards the plaintiff's words, until the legal summons has been issued. Confinement to a 20 place, arrest for a limited time, restrictions regard-The four-fold di- ing travelling, and prohibition from a specific act; this is the fourfold division of arrests. vision of arrests. subjected to an arrest must not transgress If one arrested at a time proper for arrests transgresses 25 his arrest, he should be punished. One who, in causing an arrest, acts improperly, shall also be liable to punishment. arrested while crossing a river, or in a forest, or in a bad country, or during a great calamity, or while in similar predicaments, commits no fault by transgressing his arrest. One about to marry, one oppressed 30 by a disease, one about to offer a sacrifice, one afflicted by a calamity, as also one (already) accused by another, and one engaged in the king's service; (as also) cowherds engaged in tending cattle, cultivators in .

^{1.} Verses 97, 98.

^{2. &#}x27;At their leisure and by means of conveyances' Balambhatti.

^{3.} ज्ञात्वाऽभियोगं—or it may also be rendered "having ascertained the importance of the complaint."

^{4.} I. 47-54.

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the act of sowing the crops, artisans while engaged in their own occupations, and warriors during warfare.

Arrest means a restraint by the king's orders. The weak and others (exempted) shall depute their son or some *Page 5. other relative; and these (relatives) will not become liable for speaking without authority for another, as will be seen from the text of Nârada¹: "He, who is not either the brother, the father, or the son, nor is one acting under an order or authority of another, and speaks for him, deserves punishment; as does he who makes contradictory statements in judicial proceedings." (5).

Viramitrodaya

The investigation of a Judicial Proceeding (Vyavahâra) being dependent on the knowledge of the subject of a judicial proceeding (Vyavahâra vishaya-jnâna) the Author mentions generally the subject of a Vyavahâra

Yâjñavalkya, Verse 5.

Margena 'by a way', i.e., means which is outside the Smrtis and good usage; parairadharshitah, 'by others injured', i.e., outraged; rajne, 'to the king', of the attack by another, avedayati, 'informs', tat, 20 'that', then becomes vyavaharasya padam, 'the subject for a judicial proceeding', such as the Recovery of Debts and the like.

By the use of the word chet 'if', it has been indicated that the initiation of a dispute should not be started by himself. That has been stated by Manu²: "Neither the king nor any servant of his shall 2 themselves cause any action (law suit) to be started, or hush up one that has been brought by another." The reading yad³, 'which', is approved of Mis'ra and others. Which, e.g., the Recovery of Debts and the like he informs that should be utilised.

The plural in paraih, 'by others', is where the matter at issue is 30 one. Where, however, the points at issue are different, the text of 'Narada' applies: "Of one with many, against women, or against agents, a dispute is admissible."

^{1.} Ch. II. 23;

^{3.} In the place of ehet (चेत्) if.

^{2.} Oh. VIII. 43.

^{4.} Ch. II. 12. first quarter.

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By the use of the word ki, 'indeed' it is intended that what has been complained of, must necessarily be investigated. There, Brhaspatil mentions a special rule "The preceptor and the pupil, the father and the son, the husband and the wife, the master and servant, of these when brought together, a dispute is not permissible. Of one with many, with women, and with servants, a dispute is inadmissible, as has been declared by the learned. That which has been excluded by the king, as also that which is likely to be against the interests of the citizens, or of the nation in entirety, as also similarly of the subjects. Others also as are antagonistic to (the interests of) the City, village, and the people in general, all such disputes have been declared as inalmissible."

1.1 That subject of a judicial proceeding, moreover, generally is of two kinds, from a plaint founded on suspicion, and a plaint founded on certainty. A plaint, moreover, is two-fold, in the form of an assertion and in the form of a denial; as 'my gold has been taken away by him', 15 and "Having taken money as a loan from me, he does not give.' As says Kâtyâyana2:-" What is just, he himself does not wish to do, or who does what is unjust ". Manu particularly classifies the topics for a judicial proceeding thus: "Of these, (1) the first is the recovery of debts, (2) deposits, (3) sale without ownership, (4) concerns of several partners together, (5) and resumption of gifts, (6) non-payment of wages, (7) breach of contract, (8) rescission of sale and purchase, (9) disputes between the owner (of cattle) and the cowherds, (10) the law of boundary disputes, (11) assault, (12) slander, (13) theft, (14) heinous offences, (15) adultery or seduction, (16) duties of husband and 25 (17) partition, (18) gambling and betting; these are in this world the eighteen topics of Judicial Proceedings." (5).

S'ulapâṇi. Yâjñavalkya, Verse 5

In a way outside the Smrtis and good usage, one pursued by another, either monetarily or bodily, one complains when troubled, that is the point for the investigation by a Judicial Proceeding. That is of eighteen kinds so says Manu³: "Of these (1) the first is the recovery of debts, (2) deposit, (3) sale without ownership, (4) concerns of several partners together. (5) and resumption of gifts, (6) Non-payment of wages, (7) breach of contract, (8) rescission of sale and purchase, (9) disputes between the owner (of cattle) and the cow-herd, (10) the law of boundary disputes, (11) assault, (12) slander, (13) theft, (14) henious offences, (15) adultery or seduction, (16) duties of husband and wife; (17) partition;

^{1.} See Nârada II. 12, last quarter.

^{2.} Verse 139.

^{3.} Oh. VIII. 4-7.

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(18) and gambling and betting; these are in this world, eighteen topics of a Judicial Proceeding.

By the expression if he 'informs', is meant that by himself a dispute should not be started. Brahaspati states a special rule, "The preceptor and the pupil, the father and the son, the master and servant, of these if brought in conflict together, a judicial trial cannot be admitted" (5).

When the defendant is brought by one of the (three) modes, viz., by the signet, the written order, or the messenger, what further should be done? So the Author replies

Yajñavalkya, Verse 6.

In the presence of the defendant should be reduced to writing whatever is alleged by the plaintiff, and marked with the year, the month, the fortnight, the day, the name, the caste, and the like.

Mitâksharā:—What is asked for is the artha, (the relief sought) the object to be accomplished; and a plaintiff $(Arth\bar{\imath})$ is the one who sets it up. His opponent is pratyarthî, the defendant.

The Characpresence of him, lekhyam, should be written, should teristics of a be reduced to writing. Yatha, whatever, in which mode i. e., as alleged before at the time of making

the first complaint; and not otherwise; for in that case on the ground of departure (from the first complaint) the trial would be vitiated. For "one who alters his former statement, one who shuns the judicial proceeding, one who does not put in an appearance, one who makes no reply, as also one who absconds after being summoned; these are the five varieties of a faulty (Hina) litigant."

^{1.} Nârada II. 33. Kityiyana states the several amercements for these; thus: see verse 202.

अन्यवादी पणान् पंच क्रियादेषी पणान्दरा । नेपस्थाता दरादे च षेडरीव निरुत्तरः ॥ आहृतमपलयी च पणान् प्राह्मस्तु ।वैद्यातिम् ।

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The allegations of the plaintiff having been once reduced to writing at the time of the first comp'aint, it P. 5. L. 9. might be said that writing it over again would be meaningless, so the Author says: Samâmâsetyâdi, year, month &c—marked with the year, month, fortnight, date, day &c., as also bearing the names of the plaintiff and the defendant, and their castes such as Brâhmana &c. By the word Âdi, &c., are also included the amount, the quantity, place, time, reason for forbearance and the like (Adîni). As has been Said :—

"That is termed a plaint or complaint, which is presented or made to the king, and which contains (the Artha) P. 5. L. 12. the cause of action, which is in accordance with the law, which is complete and devoid of confusion, which contains the point at issue, which is couched in significant language, and which is consistent with the claim made out; (which is) intelligible, not inconsistant, certain, capable of proof, concise yet bringing out the whole cause of action, not impossible in regard to place or time; which contains the year, the season, the month, the fortnight, the day, the time, the country and the particular district, the village, the house or dwelling place, the point at issue, the designation, the caste, the personal description and age; which contains the measure and quantity of the object to be secured, the names of the plaintiff himself and of the defendant, and (which is) marked with the names of the ancestors of himself and of the defendant respectively, as also with the names of kings; (which contains) the cause of forbearance and the injury done to self (the plaintiff); in which are mentioned (the names of) the grantee and the grantor." Bhâshâ is the same as Pratijnā or Paksha. It has no other meaning. The point to be noted is that at the time of the first complaint, only the cause of action is written, while in the presence of the defendant, the year, the month, and other particulars are written.

Although the specification of the year is not necessary in all proceedings, still it is essential in trials concerning P. 5. L. 19. deposits or pledges, gifts, and sales, on account of the text: 3 "In the case of pledges, gifts, or

^{1.} Annien—Reason for forbearance—i. e. where the suit is apparently brought after the proper time, plaintiff has to explain the delay.

^{2.} Bâlambhatti refers to this as the text of Nârada, but it is not found there.

^{3.} Yajn. II. 23.

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sales, prior transactions have preponderance". And also in money disputes, such as in a case where a certain definite amount was brrrowed by a certain person and was repaid in the same year, and again in another year the same amount was borrowed by the same person, but on demand he sets up repayment, the utility of the prescribed rule would be that payment and repayment in another year would be proved. The same (rule) would apply in the case of months. The provisions regarding (the specification of) country, place &c. however, apply only in transactions concerning immovables, on account of the (following) text.1: "In suits for immovable property, these ten (particulars) should be entered in the plaint viz. the province, the village or town, so also the particular site, the caste and names (of plaintiff and defendant), the names of neighbours, the measurement and (descriptive) name of the field, the names of the father, the grand-father &c. as also a description of former kings." Country, e. q. Central Province &c.; Place or village such as Varanasi &c.; Particular site i.e. house, field &c. of the same village (town) properly identified and marked out by the specification of boundaries on the East. West, &c. Caste—i. e. of plaintiff and defendant such as Brāhmana &c. Name-i. e. Dêvadatta &c. Neighbours i. e. people residing on the adjoining land, Measurement i. e. of land such as a nivartana2. Name of the field—such as—a rice-field, or a rotation-crop field; black-field, white-field &c. And also names of the father and grandfather of the plainfiff and the defendant; and also a specification of names of the three previous kings. The object intended is that the year, month &c., in each transaction should be written as much only as is necessary for that transaction.

Such being the characteristics of a plaint, those (plaints) which are wanting in these essentials, but present

* Page 6. an illusory appearance of a plaint, are evidently vicious plaints, and so vicious plaints, have not been separately mentioned by the Lord of Yogis' (Yogis' wara).

Others have mentioned for the sake of (greater) clearness: "The king should discard a vicious plaint, which, is impossible, does

^{1.} of Kâtyâyana. 127, 128.

^{2.} i. e. 20 rods.

^{3.} i. e. the sage Yajñavalkya.

^{4.} see Brhaspati III. 6, 9, 10; and Kâtyâyana 160.

not disclose any injury (to plaintiff), is meaningless or causeless, cannot be proved, and which is contradictory." Impossible, as e.g. 'the defendant having taken my hare's horn, does not return it,' Containing or disclosing no injury, as e.g. 'the defendant moves about in his house in the light of the lamp of my house". Meaningless, i. e. devoid of a definite meaning e.g. ka, cha, ta, ta, pa, ja, da, da, ba, &c. Causeless, as e.g. this Devadatta reads in a charming voice near my house &c. Incapable of proof, as e.g. "I was ridiculed by Devadatta with the knitting of his brows"; this is incapable of proof on account of the impossibility of the means (to prove it). Having a transitory character, (there is) no possibility of (obtaining) a witness much less a writing; nor, being trifling, would it (the fact) be amenable to an ordeal. Contradictory, as e.g. "I was abused by a dumb man" &c. Or such as are opposed to the (usage of the) town, nation &c.

These are refutable by their very nature, and therefore are not specified. Even here "the impossible &c.,"

- L. 8. are selected as illustrations for the sake of explanation, that too does not put away a
- plaint which is a combination of several counts. "All the following plaints are declared as inadmissible, viz. that which is prohibited by the king, which is hostile to the (interests of) citizens, or to the whole nation, or to the ministers; as also others which are hostile to the usages of the city, town or eminent citizens"

It has been said above that "a complaint which joins together several causes of action is not allowed"; but L. 13. there would be no fault in such a case, if it is expressly described as a plaint 'mixed up of many objects', it being unobjectionable to allege that "my 30 gold, clothes, or silver has been taken away by this man."

1. च्युन्ति:—Means a clearer explanation by drawing attention to the component parts of the sentence or words, as opposed to a rough, or general, or popular conception. It is the same as तत्वतः ज्ञानं sometimes used elsewhere.

The meaning is that we know, without this text, that plaints which are अप्रसिद्ध are पक्षामासाड and must be rejected; still the text is used to make the gist of the meaning of the word पक्ष clear. By अप्रश्ति here is meant the सुम्रित of the word पक्ष. तर्षि, still these several texts (denoting पक्षामासाड) do not include the case of अनेक्ष्यसंक्षिणे. For it is not a case of पक्षामास at all, as the only defect of that plea is that it cannot be gone into simultaneously.

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If it be said that a plaint becomes vicious on account of mixing together several counts in suits for 'the recovery of debts' &c., that too will not hold. For, the plaint is allowable which contains averments like the following, viz. 'He borrowed my rupees at interest', 'I delivered gold into his hand' and 'he deprives me of my field.' Only (in such cases) on account of a difference in the causes of action the trials are held separately in succession and not all together. As says Kâtyâyana¹: "A king, desirous of arriving at the truth, may undoubtedly admit even that plaint which contains several counts, but which is in conformity with the principles of law." Therefore the meaning of the rule is, that a plaint containing several counts will not be allowed to be established in all the counts at one and the same time.

The word (Arthi) plaintiff, includes his son, grandson &c., as they have a common interest. One specially appointed as an agent, is also presumed to have an identity of interest on account of the appointment, according to the text?—"If one is deputed by the plaintiff or is chosen by the defendant as his representative, his success or defeat is regarded as that of the party for whom he (the representative) pleads." The success or defeat of the agent or representative is of the original principal only.

This, moreover, should be jotted down upon the ground or on a board with white chalk, and after it has been L. 21. revised and corrected by rubbing off and rewriting, it should be written down upon a paper, according to the following text of Kâtyâyana³ viz. "The Prâdvivâka or the Chief Judge should get down the plaintiff's statement, as made by him in his own way, on a board in white chalk, and then on a paper, after it has been revised." The revision and correction should

be made only while yet the answer (of the defendant) has not been filed, and not thereafter, as otherwise there is the fear of the proceeding never ending.

^{1.} Verse 137.

^{2.} Of Narada I. 22.

^{3.} Verse 131.

Hence Nârada¹ has said: "He (i. e. the Judge) may make corrections in the complainant's first complaint so long as the answer is not received; being stopped by the answer, the correction should cease." If the Councillors cause an answer to be filed without revising the plaintiff's first complaint, then the Councillors should be punished according to the punishment laid down in the text² (Râgâllobhât &c.) "out of passion, avarice &c.", and the trial should be re-commenced by the king, commencing with the solemn affirmation.

Viramitrodaya.

Such a Judicial Proceeding has four feet (or parts), so as the Author will state hereafter, there, first in the part regarding the Plaint, the Author states the function of the king³

Yâjñavalkya, Verse 6.

Arthina, 'by the Plaintiff', Pratyarthino-agrato, 'in the presence of the Defendant' should be caused to be written. Sama, 'the year'; masah, 'month' is well-known; tadardham, 'half of that', i.e., the fortnight; ahah, 'the day', these are the periods for a plaint, i.e., these periods of time are for the part dealing with the Plaint. Namajati, 'name and caste', i.e., of the Defendant, as also of himself.

By the use of the term A'di, 'and the like,', are included, the quantity of the amount and the like stated by Kâtyâyana' thus: "The amount of the claim, the material and the quantity; similarly the name of oneself and also of the kings in successive order, of the place of residence, also the name of the object in dispute, and in genealogical order the names of ancestors, the (nature of the) injury, the grantor and the grantee, and also other causes for forbearance—these should be stated in the plaint, and (the plaint) constituted.

By this—"In such and such a year, such and such a month, of myself by name such and such, the grandson of such and such, the son of such and such, and of a particular caste, by such and such a one, the

^{1.} Not found in Narada; but see Brhaspati III. 15.

^{2.} Yājū. II. 4. p. 643 above.

^{3.} i.e., either the king himself when personally attending to the investigation or the Judges appointed by him.

^{4.} Verses 125, 126.

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grandson of such and such, the son of such and such and by name such and such, within the territory of such and such a king, so much quantity of gold was taken as a loan, for the repayment of that, a demand was not made by me upto such and such a time out of regard for his friendship; or was demanded in the last year, &c., thus, containing these and like recitals comes to be the body of the written complaint to the king. But there, 'you owe me a hundred of gold, you having obtained from me as much amount as a loan', is the body of the Plaint, 'You should give', is the expression of the relief, while the rest is useful for a decision. Thus, where as much portion of the complaint becomes established, so much should be stated by the Plaintiff in the plaint, and be caused to be written by the king, otherwise it should be noted that there may be the fault of an undisclosed proof. The magnitude of the amount as also an excessive cause of trouble may also be included in addition. In regard to that also, justice which is asked for, must be included in the first information.

'By the plaintiff'—this is where it is possible. When, however, he is not available, says Nârada¹: "If one be deputed by the claimant, or chosen as his representative by the defendent, he for whom he speaks, of those shall be the victory or defeat. (22). He, who is not either the brother, the father, or the son, nor is one acting under an order or authority of another, and speaks for him, deserves punishment; as does he who makes contradictory statements in judicial proceedings." (23).

Brhaspati²: "For persons of immature intellect, for the dull, the intoxicated, the old, the women and for persons suffering from a 25 disease, one may depose for a plaint or an answer, even though the man may not have been appointed."

In some cases, however, Kâtyâyana³ prohibits an agent thus: "In accusations for Brâhmicide, drunkenness, theft, sexual intercourse with the preceptor's wife, a representative is not allowed, and even in similar other accusations such as, for homicide, theft, crim. con. with others' wives, eating the uneatable, as also abduction and despoiling of a maiden; for abuse, false measures, similarly for hatred against the king, a representative must not be permitted to be given; the Actor must plead in person."

• The duties preceding the plaint, either of the king, or of the Complainant, being too well known in other Smṛtis have not been stated

^{1.} Intr., Ch. II. 22-23.

^{3.} Verses 93, 94, 95,

^{2.} Ch II. 34.

by the Author of this work. e.g., says Kâtyâyana1, "When a party is in possession of a thing seized by him, a trial should not be started by the king; it should either be restored to him, or it should be deposited with a third party." And Narada2: "One who absconds when the cause is to proceed, who disregards the plaintiff's words, such a defendant the plaintiff may arrest, pending the summons served (47). If one arrested at a time proper for arrests, transgresses his arrest, he should be punished. One who, in causing an arrest, acts improperly shall be liable to punishment" (51). Also, "One arrested while crossing a river, or in a forest, or in a bad country, or during a 10 great calamity, or while in similar predicaments, commits no fault by transgressing his arrest." (49). So, "One about to marry, one oppressed by a disease, one about to perform a sacrifice, one afflicted by a calamity, as also one who is accused under the law, as also one engaged in sowing operations (52). Cowherds engaged in tending cattle, cultivators in the act of gathering the crops, artisans also during the period while engaged in their occupations, and warriors during warfare (53). One who has not yet arrived at years of discretion; a messenger, one about to give alms, one engaged in a vow; those in difficulties also, must not be arrested, nor should the king summon them" (54). 20

Here, the excellence of the Plaint is 'brief in words, but rich in meaning' as stated by Brhaspati³ and others.

Of the faults, such as stated in the text²: "Impossible, faulty, meaningless, causeless" and the like, and their absence has been indicated by the prefix an in the expression a-veditam, 'alleged'; these, moreover, through fear of swelling the treatise are not being expanded here.

Plaintiff, however, must not depose contrary to his first information, as says Brhaspati: "That matter, moreover, which one alleges, one must not change in form; nor should he resort to another alternative; if he resorts, he is (deemed to be) defeated in regard to the first." Before, however, the investigation commences, there is no loss to the plaintiff deposing more or less. That says Nārada⁵: "Before the answer to the plaint has been tendered by the defendant, the plaintiff may amend his own statements so long as there is no sight of the

^{1.} Verse 120.

^{2.} II. 47, 49-54.

^{3.} See Ch. III. 6.

^{4.} Of Kâtyâyana Verse 140.

^{5.} Ch. II. 7.

answer. Of one who has been blocked by an answer, all writing ceases". Here the word answer is used in the sense of the commencement of the investigation vide the text of Brhaspati¹: "When both parties have submitted their statements in writing and the investigation of the truth has commenced, he who deposes there improperly does not lose the point. When the answer to the plaint has been filed and the investigation has been entered upon, the statements of the disputants in that proceeding are purified, so says Bhrgu. "If through infatuity, or through cunning, a statement is not made by the plaintiff, but is offered in the midst of the answer, that may be accepted for both." What is heard, written and also purified and considered."

Regarding purification says Vyisa: "With a white chalk on a board, and in the absence of a board, on the ground, one should write; and after revising any defect or superfluity, it should thereafter be entered in the paper." For the falsification of record, Kâtyâyana4 states a punishment. "One who writes anything else than what is stated by the plaintiff or by the defendant, the king following the law should punish such a one as a thief." (6).

S'ulapâni

'Of four feet is this Judicial Proceeding', so the Author will state hereafter; of that the first, of the foot dealing with the Plaint, the Author states

Yājñavalkya, Verse 6.

Of a Plaint the substance of which is known can alone a reply be possible; therefore, in the presence of the opponent, the plaint should be caused to be written. 'One when asked, must state the Plaint,' so it has 25 been stated. In the plaint should be written the year, the month &c. In the expression 'caste &c.', by et cetera are to be taken, "the point at issue, similar objects, the quantity, and similarly one's name" specified in another Smrti.

- 1. 'स तइथोन हीयते—It appears, there is a mistake in this quotation. The Smṛti-Chandrikâ (p. 48, L. 13) cites this text as of Kâtyâyana, where the reading is तस्पाद्यीत्स हीयते. Mr. Kane's compilation of Kātyâyana also gives the same reading. See verse 206, p. 29.
- 2. i.e., by the process of आवाप and निर्वाप referred to in the Mitākṣharâ under the text cited in Viramitrodaya; and S'ulapâni, who cites the text of Kâtyâyana; p. 131. see also the text of Vyāsa further on at 1.12.
- 3. Kâtyâyana 193. This text is cited as the text of Brhaspati in Smrti Chandrika, and the 2nd half is पश्चम थे मिथो यान्ति दृष्णां दमम् (h. 49, l. 22).
 - 4. Verse 132.
- 5. i. e. of Kâtyâyaaa, Verse 125, where the reading is सान्यप्रमाणं द्रव्यंच संख्यो नाम तथात्मनः।

Who will have the position of a plaintiff? So Narada¹ says, "He who has had greater trouble, or whose object is of greater magnitude, to him should be given the right to begin as a plaintiff, and not the one (necessarily) who lodges the information first." Brhaspati² states the characteristics of a Plaint: "They know a plaint to have five points, viz. free from the faults regarding a declaration, with the point which is susceptible of proof, accompanied by good arguments, precise, and well-established³ among the people. (6). Brief in words, rich in meaning, absolutely free from ambiguity and confusion, devoid of conflicting arguments, and capable of meeting the opponent's arguments."

Kâtyâyana⁴ states a special rule: "The Judge should cause to be written the first information as originally deposed on a board with a white chalk, and then on a parchment after it is corrected." (6).

Thus after the plaintiff's revised complaint has been written down upon paper, what should be done? so the Author says

Yâjñavalkya, Verses 7(1).

Of the defendant, who has heard the plaint, the answer should be taken down in writing, in the presence of the plaintiff or the complainant. 7 (1).

20 Mitākṣharā:—S'rutârtha i.e. the defendant—is one by whom the substance of the plaint has been heard,
The Answer. S'ruto; of that the answer. It is called the answer or replication because it appears after the plaintiff's complaint. Le'khyam, should be taken down in writing,
25 i.e. should be reduced to writing.

In the presence of Sannidhau, of the first informant, pûrvâve'dakasya, the plaintiff i. e. near him. An answer is that which is a refutation of the complaint of the plaintiff. As has been said⁵:

^{1.} Not found in Narada, but this is cited as a text of Katyayana, (V. 122) in अपराके and other works.

^{2.} Ch. III. Verses 5, 6, cited in Raghunandana p. 12 (Jolly).

^{3.} लोकसिद्धं च.

^{4.} Verse 125.

^{5.} By Prajapati. See Smrtichandrika p. 42. l. 30.

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"Men versed in law consider that an answer, which covers (the points raised in) the plaint, is concise, unambiguous, not inconsistent, and is easily intelligible without an explanation." Which

* P. 7. covers the points in the plaint i. e. is capable of refuting it. Concise i. e. according to (the rules of) justice, not inconsistent with justice. Unambiguous i. e. free from doubt. Not inconsistent i. e. not contradicting statements made before and after. Not intelligible without an explanation, i. e. the meaning of which requires an explanation on account of the use of obscure words, or on account of the implication or express use of cases and compounds (which are) difficult to split up, or by reason of the use of expressions (current only) in the language of foreign countries.

That which is not so tainted is called a proper answer.

P. 7. L. 4. That, moreover, is four-fold viz. admission, denial, confession and avoidance, and former judgment or res judicata. As says Kâtyâyana.1 Fourfold answer. "An answer is fourfold viz. by pleading the truth or the falsehood (of the plaint), or by setting up a special plea, or a decision in a former judicial proceeding." Of these an example of the answer by admission, Sampratipattih, may be found in the case where the defendant, being charged by the plaintiff that he owed a 100 rupees, replies by saying "yes, I do owe (the amount)." said2: "It (i. e. an answer) is called an admission, when the truth of the point at issue is admitted." An answer by denial, Mithya, is on the other hand made by saying, "I do not owe (the amount)." Kâtyâyana³: If the defendant give a denial to the claim made, that (answer) is known in law as a denial."

Such a denial moreover is of four kinds: as e. g. 'This is false', 'I do not know at all', 'I was not present Four kinds of there at the time (of the transaction)' and 'I was 30 denial. not born at the time'; thus four-fold is an answer by denial⁴.

^{1.} Verse 165.

^{2.} by Katyayana Verse 168,

Verse 167.

^{4.} Nárada Ch. II. 5; Also Kátyáyana 169.

The (answer by) confession and avoidance, Pratyawaskandanam, is, e.g. thus: "true it is that I received, but I returned P. 7. L. II. it, or obtained it as a gift." As says Nârada, "If a defendant, admitting plaintiff's written allegations, sets up a plea, that is called a confession and avoidance." The (answer by a) former judgment, Prânnyâyam, or Res Judicata would be where the defendant would speak thus, 'I was sued by him on this cause of action, and in that suit he was defeated in a trial at law'. It has also been said by Kâtyâyana²: "If a person, though

defeated by the customary procedure, again files a written complaint the answer to him would be, 'you were defeated formerly;' this is called the plea of former judgment."

The characteristics of a proper answer having thus been established, the viciousness of those answers which 15 P. 7. L. 17. are without the charactaristics of a proper answer, but which bear the resemblance of an answer, is self-evident. This has also been made clear in another Smriti³ "That answer which is dubious, departs from the point at issue, is either too short or too long as compared with the point at issue, covering only a portion of the claim, and is of the like sort, cannot be 20called a proper answer. An answer which is irrelevant, incomplete, of concealed import, and is inconsistent, as also that which can be understood by an explanation (only), and which is unreasonable, is not an answer which will establish the plea set up". Of these: Sandigdham, 'a dubious answer' is e. g. where it is alleged that 25defendant borrowed 100 gold coins, the defendant answers 'yes, I did borrow (something) but (I am) not certain whether 100 gold coins or 100 Máshâs.4' Prakrtādayat, 'Departs from the point at issue, ' as where in a suit for 100 gold coins, the defendent answers 'I owe 100 panas'. Atyalpam, 'Too small,' as where in a a suit for 100 gold coins, the answer is 'I owe five.' Atibhuri, 'Too large,' as where in a suit for 100 gold coins, the defendant answers

^{1.} Of. Kátyâyana 170.

^{2.} Verse 171.

^{3.} Of. Kâtyāyana 174, 175.

^{4.} A gold measure, 10th part of a पण, "माने विश्तितमो भाग: पणस्य, परिकीतितः",

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'I owe two hundred'. Pakshaikades'avyāpi, Covering only a part of the claim, as where in a suit for (recovering) gold, clothes, &c., the defendant answers-'only gold was recovered, nothing else'. Vyastapadam, Irrelevant, as in a suit for recovery of debts, defendant answers with reference to an entirely different matter, as, e.g., in a suit for recovering 100 gold coins, defendant answers— 'I have been beaten by him'. Avyâpi, Incomplete, i. e., not covering the particulars of the country, place, &c., as, e.g., where it is alleged. 'He has deprived me of my field to the east of Wārānasi in the Central Provinces, defendant answers.' "Yes, I have deprived him of a field." Nigûdhârtham, Of concealed import, e g., in a suit for 100 gold coins, defendant retorts thus 'what! Is it I alone who owe anything to him?' Here by this dubious statement, it is implied that either the Chief Judge, or a Councillor, or the plaintiff is in the position of a debtor to some one else and thus the statement has a concealed import. Akûlam, Inconsistent, i.e., Contradictory having regard to the statements made before and after; as in a suit instituted for 100 gold coins, defendant answers, 'yes I did receive the amount, but I do not owe it.' Vyākhyágamyam, Requiring explanation, i.e., intelligible by the help of explanations required1 by reason of the implication or express use of cases and compounds (which are) difficult to split up, or by reason of the use of expressions current in the language of foreign countries. As for example, in a suit for 100 gold coins due under a paternal debt the defendent answers: 'As for the expression grihita-sata (a hundred

^{1.} This has been given as an instance of the 'Implication or express use of cases and campounds (which are) difficult to split up (হু:প্তিম্বিদান্ধানাধানান্ধানা

⁽¹⁾ From the Defendant's side it may be said, 'even supposing the expression grihīta-s'atasya pituh means that my father had received a hundred coins, I do not see its connection with gold.'

⁽²⁾ The plaintiff on the other hand, or even, the court might read in the defendant's answer, an admission of the receipt of 100 gold coins by the father.

And lastly, the fact that the answer is capable of an interpretation either way as stated above is in itself an evidence of (a दु:ভিতরন্ম) 'a compound difficult to be split up'; another reading is অভিতৰ্

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having been accepted), I do not know its connection with gold coins and my father.' Here, the real meaning (of the defendant's answer) is this: "As for (the expression grihita-s' atasya pituh) my father having accepted a hundred coins, I am not aware of his having received gold coins" Asāram, Unreasonable, i.e., opposed to reason. As in a suit alleging 'he borrowed 100 gold coins at interest, but did not the principal,' the answer is 'True, I have paid the interest, but not receive the principal.'

By the use of the word 'answer' in the singular number, a combination of answers is excluded. As says

* Page 8. Kátyâyana²—"That which admits part of the claim as true, sets up a special plea³ to another part, and makes a denial of a third, is regarded as no answer on

account of the mixture (of several pleas)." The same Author4 thus explains the reason why such (a statement) is regarded as no answer: "In one suit, the burden of proof cannot lie on two litigants, nor can both obtain judgment, nor can two proofs be adduced simultaneously in one suit." In a combination of the answer by denial and by special exception it is incumbent both on the plaintiff and the defendant to adduce evidence, as has been said: "In the case of a denial,5 the proof rests on the plaintiff, while in a special plea, on the defendant." The simultaneous proof by both in one transaction is contradictory. As for instance where the allegation is, "he has taken gold and 100 rupees", and the answer is "gold was not taken, 100 rupees were taken, but were returned." In a combination of the pleas of special exception and former judgment, the defendant alone has to adduce evidence. "In the combined plea of former judgment and special exception, the defendant must exhibit proof." As where the charge is that gold was borrowed and it is met by an answer that it was returned, and also that the plaintiff was defeated by a judicial

trial with regard to silver. Here the former judgment should be proved either by (producing) the decree itself, or by the evidence of

^{1.} Kâtyâyana illustrates thus:

काकस्य दुन्ता नो सन्ति सन्तीत्यास्ति यदुत्तरम् । असारमिति तत्वेन सम्यङ्ग नोत्तरमिध्यते ।

^{2.} Verse 189.

^{3.} Correspond to the pleasing, in English law of "Confession and avoidance."

^{4.} Verse 190.

^{5.} मिथ्या-मिथ्या अञ्चयमिदं Bâlambhatti P. L. 19.

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those who gave (or were present at) the former judgment, while a plea of special exception should be proved by witnesses, documents, &c. Thus there is an opposition between the pleas of res judicata and special exception.

The same would be the view in the case of a combination of three pleas in an answer. As, e.g., where it is alleged 'he (the defendent) borrowed a hundred gold coins, a hundred rupees, and also clothes, the defendant answers "True, gold was borrowed, but it was returned; the hundred rupees were not taken at all; and as regards clothes, he has already been defeated in a former judgment." So also in the case of a combination of four pleas.

These mixed pleas constitute vicious answers when set up simultaneously, each particular plea not being P. 8, L. 12. likely to be established without its particular

proof; but when taken separately they are good answers. The order is to be determined according to the will of the plaintiff, the defendant, and the councillors.

When, however, there is a combination of two, that plea, which contains the most important point should be taken up for proof first, and the suit should proceed; the minor plea should be 20 taken up afterwards and the trial determined. Where there is a combination of (the plea of) admission and another plea in answer, the suit should be tried by taking up the other plea (for proof); for a plea of admission there being no (necessity of) proof.

As Harita after observing: 'If a denial and a special exception should occur together, and if the plea of admission be made with any other, which of these should be accepted as an answer?" has remarked: "In such a case, that which contains the most important point or which is conducive of proof, is to be considered as an unmixed answer; any other answer becomes otherwise;" i.e. it becomes a mixed answer.

The meaning is that the order in which such mixed pleas are taken up for determination depends on choice by regard to the plea

^{1.} It being impossible to adduce evidence for both the pleas simultaneously.

that survives last. Of these, the plea containing the important point occurs, as e.g. where in a suit it is alleged that "the defendant borrowed gold, one hundred rupees, and also clothes" and the answer is, "True the gold was taken, but one hundred rupees were not taken, and as for the clothes, they were taken, but were returned." Here the answer by 5 denial being the important plea, the trial should proceed after taking Then the trial should proceed with reference to plaintiff's evidence. the clothes. The same order should be followed in the combinations of denial and previous judgment, or of special plea and previous judgment. Moreover, in the same suit, where the answer is "True, 10 I received the gold and the hundred rupees, (but) I will repay (them); the clothes however, were not received, or having been received, were given back; or that he (the defendant) was defeated formerly in regard to the clothes"; in such a case although the admission is the most important point, there being no necessity of evidence for it, 15 the trial should proceed after taking evidence on the plea of denial &c. Where, however, the denial and special plea cover the whole point, as e. q. where the plaintiff identifying his cow by the horns, says "This is my cow, (it) was lost at a particular time, and was seen today in this man's house"; while the defendant says: "This is false, the 20 cow has been in my house even before the time mentioned by him (plaintiff), or it was born in my house." It cannot be said that this is not an answer, as it is competent to meet the point in dispute, nor can it be a simple denial, as a special plea has been introduced. Nor. there being no admission of a portion of the plaintiff's case, is it a 25Therefore this is an answer by denial coupled with a special plea. special exception. Here defendant has to adduce evidence, on account of the text1 "the burden is on the defendant, in (the case of) a special exception."

30 It may be asked, under the text²: "In a denial, the evidence should be led by the plaintiff" why does not the burden (in the above case) lie upon the plaintiff?

The answer is that the text applies to a pure denial. Then it is asked why should not the text¹ "In a

denial. Then it is asked why should not the text¹ "In a 35 special exception, the burden is on the defendant" be made likewise applicable only to a simple plea of special exception"? the

¹⁻ कारणे प्रतिवादिनि ।

^{2.} मिथ्या किया पूर्ववादे ।

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answer is, "no, this cannot be; every plea of special exception necessarily involves a denial; and therefore a special exception pure and simple can never occur."

As the wellknown plea of special exception contains an admission of a portion of the plaintiff's case, there *P.9. is a denial of the rest. As e.g. "True, I did receive a hundred rupees, but I do not owe (the amount) now, as I have repaid it." In this example the particular point to be noted is, that there is no admission of a portion of the plaintiff's case. This moreover has been clearly laid down by Hârīta:—"Of the two answers viz. of denial and special exception, the special exception should be accepted (as an answer)."

Where the pleas of denial and previous judgment cover the (whole) point at issue—as e.g. in the allegation, "He owes a hundred rupees to me" the answer is: "This is false; he (the plaintiff) has been defeated formerly on this point"; there also the burden of proof is on the defendant, on account of the text, "When res judicata and special exception are set up as a combined plea the defendant should exhibit proof." Because, the plea of a former judgment pure and simple can never occur, and (therefore) it might be said that the plea is no answer, likewise, the plea of admission is a good answer (precisely) because, it meets the point at issue by admitting as established the claim which in the plaint was stated as the matter to be established.

Where, however, there is a combination of a special plea and previous judgment, as e.g. when charged with having received a hundred, the defendant answers, "True, it was received, but it was returned, and, moreover, he (the plaintiff) has been defeated before on this very cause of action", in such a case, proof will be exhibited (in the order determined) according to the defendant's choice. Then the result is, that a double proof in one suit by the plaintiff and the defendant should not be allowed.

Viramitrodaya.

When the nature of the complaint has thus been reduced to writing by the king, the Author proceeds to state the function of the

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king in regard to the second part of the judical proceeding in the form of the answer of the defendant

Yâñjavalkya, Verse 7 (1)

S'ruto, 'heard i. e. properly comprehended, arthah, 'plaint', S'rutartham, having heard the statement in the plaint in connection with that, Uttaram, 'the answer', the act of the Defendant, purvavedakasya, 'of the first informant' i. e. of the plaintiff, sannidhau, 'in the presence of', by the king should be caused to be written.

By the use of the expression śrutârtha 'one who has heard the substance of the plaint', in the case of a defective plaint such as 'although separated from me, he should pay me the wealth acquired by him from the acquisitions' and the like form, it should be understood that even without an answer there is success. Thus, after the plaint is written, the Defendant should, in the presence of the plaintiff state his answer; "which should be such as would cover the points in the plaint, concise, unambignous, not inconsistent, and should not be such as would not be intelligible without an explanation; men versed in law consider that a (true) answer," thus characterised by Nirada. It is thus established that thereafter the king should cause the answer to be written. As in case of the plaint, so the faults of an answer also may be deducted from the Smrtis.

Moreover, for filing the reply, time should be given to the Defendant. That Kâtyâyana² has stated thus: "If after hearing the claim in the plaint while it is being³ written, the Defendant asks for time for some reason, that should be given to him (145). Immediately, or one, five or three days according to the magnitude or littleness, should he get; and three fortnights or a week in suits for debts and the like. (146). For recent transactions, (the reply must be made) at once; where a month has passed, a day should be given; where six years have passed, three days; and seven days, where it is of twelve years' duration. (154) For one twenty years old, ten days, or half of a month; a month for one of thirty years, or three fortnights at the utmost (155). After having ascertained the period and the capacity and the importance or triviality of the transaction, the

^{1.} Verses 145-158.

^{2.} This text has also been cited by the Mitakshara, generally. In the Aparaka it is assigned to Narada, while the Smrti Chandrika cites it as of Prajapati, see p. 42, L. 30. The printed Smrti of Narada, however, does not contain this verse.

^{3.} The other reading is श्रुत्वा लेख्यगतं त्वर्थे। The reading in the text is श्रुतालेखयतो ज्यर्थे.

Authority should grant time to the Defendant. Also what the Author will state hereafter, that is stated to be the additional time. (147)

Vyasa¹: "If at that time there occur no fault indicated by the acts of the king or divine agency, by merely giving up time, he does not become defeated. If the fault be due to acts of the king or of God, he should establish (his case) by means of witnesses; but if he resorts to begging, he should be punished and should be compelled to pay the amount."

The plaintiff, however, does not get time for the formulation of the plaint. So says Kâtyâyana³: "Since the commencement of the litigation was rosolved upon by him after a long deliberation, therefore he must not get time; one who is proceeded against, should, however get time."

To this Brhaspati mentions an exception:—"If the plaintiff owing to immaturity, is not able to declare, then time should be given by regard to the transaction and the capacity". When, however, the defendant without the existence of causes prescribed by the S'astras, does not adduce an answer, then he is (deemed to be) defeated, vide the text⁴: "One who alters his former statement, one who shuns the judicial proceeding, one who does not put in an appearance, one who makes no reply, and one who after he is summoned runs away; these are stated to be the five varieties of a faulty (hîna) claimant"; as also under the text⁵: "To the plaint when stated, if one does not give a proper answer, after the lapse of seven nights he becomes defeated, and deserves penalty."

That answer, moreover, is of four kinds as says Kâtyâyana⁶: "Pleading the truth, or the falsehood (of the plaint), setting up a special plea, or a decision in a former judicial proceeding; thus, the answer is four-fold". Vyâsa⁷: "Admitting the truth of the point at issue, is known as Admission; giving a reason, (is known) as a special plea; and declaring it as false (is known) as denial". Brhaspati³: "If a

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^{1.} These texts are also attributed to Kâtyâyana. See verses 161, 162. There the reading is different, as will be found by a comparison of the two.

^{2.} मेह्येज—The other reading जिम्होने 'through crookedness' is better.

^{3.} Verse 134.

^{4.} Of. Kâtyâyana Verse 202.

^{5.} Cf. Brhaspati IV. 4.

^{6.} Verse 165.

^{7.} Of. Kâtyâyana Verse 168.

^{8.} Cf. Kâtyâyana Verse 171.

person, though defeated by the customary procedure, again files a written complaint, the answer to him would be 'you were defeated formerly'; this is called the plea of 'former judgment'.

Here, the first, being in the form of an admission of an established fact which becomes the means of proof, is a good answer. It is not that thus the defendant is restricted because in this investigation about a fact, it is inadmissible as a restrictive factor.

The answer by denial is, moreover, four-fold; so says Vyasa² "'This is false'; 'I do not know', 'I was not present at the time,² and 'I was not born at the time'; thus the answer by denial is of four varieties."

Here by saying 'this is false', 'I do not know', and by making similar defences, there is a denial or concealment of the fact itself; by the answer 'I do not know', by pleading the non-remembering of the essential fact, it is intended to maintain its absolute non-existence; to the allegation in the plaint 'you took this loan in Vâráṇasi,' the answer being, 'I was not in Váráṇasi,'; to the allegation, 'you obtained twenty-five years ago,' the answer being 'Indeed, I was not born at the time', thus by a series of allegations and refutations indicating the meaning; in an allegation, 'by your father was a hundred of gold taken', the answer that 'I do not know', is an assertion and a refutation, and not an answer 'by denial.'

It should not, however, be supposed that thus there being an absence of an answer (as such), there should be a success for the plaintiff, as all circumventions are necessarily to be disposed of by a judicial trial according to law, and there these are admissible as means of proof by the deponent. Hence it is that in the case of an overt sale (the plea of) non-delivery as a gift by the owner has also to be weighed. Here, therefore, the non-proof of the fact in issue is the fault in the plaint.

The answer by 'a special plea' is, moreover, three-fold by regard to the cause of action alleged in the plaint, it may be 'more strong', 'equal in strength' or 'less strong'.

There, the first is as, e.g., to the allegation, 'You obtained a 35 hundred from me'the answer is 'yes, but it was paid off.' Here the central point of the absence of proof of non-payment not being pressed,

^{1.} i. e. prevented from proceeding further on.

^{2.} Also Kâtyâyana, Verse 169.

^{3.} i.e. the time of the alleged transaction.

^{4.} नाहिक—The owner of the thing which was supposed to be lost.

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non-proof is the fault in the plaint. This is also called a counter-plea, Pratyavaskandana, vide this text of Brhaspati': "If a defendant, while admitting plaintiff's written allegations sets up a plea, that is called a confession and avoidance".

The second,² as in a plaint that 'this land is mine as it has come to me in successive generations' the same is the answer. This, moreover, is in reference to a valid plea in defence.

The third as in a plaint that 'this land is mine, as commencing from such a period it has been mortgaged with me by the owner,' the answer is 'commencing from five years ago, that has been mortgaged with me by him in the fifth year'; this also is in reference to a valid plea. From the text³ "In transactions of mortgage, gifts, and sales, the prior is more powerful". Here also, for dispelling frant, proof, &c., has to be adduced.

The answer of a 'former decision' is, however, in this form, viz., "In regard to this cause of action, he has been conquered by me", and the like.

Here Kâtyâyana4:—"That which admits part of the claim as true, sets up a special plea to another part, and makes a denial of a third, is regarded as no answer on account of the mixture (of pleas)". There, some explain the meaning of the text thus: In a claim for a hundred taken, 'I owe fifty certainly, twentyfive has been paid off, and twenty-five was not taken', and the like is no (proper) answer, and hence also "In one suit, the burden of proof cannot lie on both litigants, nor can both obtain judgment, nor can two proofs be adduced simultaneously in one suit" this text becomes consistent.

Some say that the aforestated mixed answer is admissible, and that therefore all that holds good. That is not proper. Not that such a subject matter itself is not possible, as it is generally seen; nor that such an answer must not be given, it being impossible to prevent the tendering of an answer based as on facts; nor is it that in such an answer defeat alone will follow. In a dispute the answer which challenges an

^{1.} Vijnaneswara assigns this text to Nârada. See text p. 7. l. 12 Tr. p. 661. It is not found in the 'Extracts from Brhaspati' published by Dr. Jolly, S. B. E., Vol. XXXIII.

^{2.} i. e. the समबल the second variety of a कारणात्तर.

^{3.} Yājñavalkya II. 25.

^{4.} Verse 189.

^{5.} Cf. Kâtyâyana Verse 190.

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oath, and also consists of a denial, that has the illusive appearance on account of the combination. This is the meaning of the sentence. The rest, as also the expression 'in one part' repeated twice is a repetition.

Indeed, in such a case what would be the effect of the text 'In one suit &c. ?? The answer is: In one suit in a simultaneous manner, there cannot be (adduced) evidence by both; this and the like is its meaning. Or shortly stated, that text is intended to prohibit evidence by both to be simultaneously adduced. 7 (1).

After the written answer is thus filed, the establishment of 10 the point at issue being dependant on the means of proof, it may be asked who should exhibit the proof? Anticipating this the Author savs

Yâjñavalkya, Verse 7(2).

Next, the plaintiff should immediately have written down the evidence by means of which the matter in dispute 15 (or alleged) is (proposed) to be established. 7(2).

Mitakshara: -Tatah, next, after the answer; arthī, the Plaintiff, one who has to gain a point; sadyah, immediately, even immediately after; lekhayet, should have written down. What has been sworn to in the complaint and is to be established is the Pratijnatartha, the matter in dispute. Of that the sadhana, means of proof, i.e. that by which the matter is to be established, i.e., the measure (of proof). Here, by saying (the plaintiff) should have immediately written down', it is implied that some delay is allowed in stating the answer. That, moreover, will be discussed in detail later on.

By saying that 'the plaintiff should have written down evidence for proving the point at issue' it is P. 9 L. 15. meant that the party who has to gain the point should have written down the means of proof of the point at issue. Therefore, in an answer where a previous. judgment is pleaded, the previous judgment itself being required to be proved, the defendant himself is regarded as the plaintiff, and so he himself should have his means of proof written down. So also in an answer containing a special plea, the special plea itself being 35

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required to be proved, he who sets up the special plea, himself comes to be (in the position of) the plaintiff, so he should have the proof written. In a denial, however, the original complainant is himself the plaintiff, and he should exhibit the means of his proof.

By saying: "Next the plaintiff should have written down, &c." it is intended to be laid down that the plaintiff P. 9, L. 19. himself should cause the proof written, and none And, hence also, in the case of an answer by admission there being no point at issue, neither the complainant nor the defendant being in the position of a plaintiff, there is no indication of the means of proof, and thus, it follows, that the trial comes to an end at that very stage. This very rule has been clearly stated by Hârita:—" In an answer containing the combined pleas of former judgment and special exception, the defendant should exhibit proof; while in the plea of denial, the original plaintiff; (but) in the plea by admission, that proof, i.e., is not necessary at all."

Viramitrodaya

The determination of the result by the king being based on evidence, and the exhibition of that being the duty of the plaintiff, in regard to him, the Author states the third part of the proof

Yajñavalkya, Verse 7 (2)

Tatah, 'next,' when a proper answer has been made by the defendant, and also caused to be written by the king; arthi 'The plaintiff', i. e, the party who has to establish the statement made, respectively either the plaintiff or the Defendant as the case may be; pratijnatasya, 'of the point affirmed,' i. e. of the matter duly stated by oneself, sådhanam 'means of proof' such as witnesses, documents, and the like, himself having set out, should cause to be written through the officers of the king. By the use of the word sadyah, 'immediately,' is meant that in the matter of the exhibition of evidence, no delay should -30 be caused. Thus says Kâtyâyana1: "No loss of time should be caused by the king in the examination of witnesses; great harm might result 'from (tapse of) time, in the form of the turning away of justice."

That means of proof, moreover, is twofold, human and divine; as says Brhaspati2: "Evidence is declared to be twofold, human and 35

^{1.} Verse 339,

^{2.} Ch. V. 17-18,

divine. Each of these is again divided into a number of branches by sages declaring the principles of law. Witnesses, documents, and inference, thus human evidence is declared to be threefold. Commencing with the balance and ending with the Dharma, thus the divine evidence is declared to be nine-fold."

That evidence, moreover, is the means of proof. This has been elaborated above. Such proof, however, is not necessary in an answer of admission. In regard to other answers, Vyasa states a rule thus: "In the pleas of res judicata, and that of a special plea, the defendant should adduce evidence: in the answer of a denial, the first deponent (the plaintiff); in an admission, one need not prove. " Here, by the use of the word 'special plea', is intended to state a stronger reason, as the Author will state further on: "If the first claim be invalidated, then those of the next claimant should be examined." Kâtyâyana2: "If after the plea of admission, a special plea is set up, and if it is stronger, then the case of the defendant must be proved; in the absence of that, the other is deemed to be established." The cause of the debt viz. the acceptance of the loan, as alleged before by the plaintiff being admitted i.e. accepted, another stronger reason, such as payment back and the like, if it is set up in the defendant's statement, then that is to be established, and not the other, by reason of the rule of equal and less force. is the meaning.

In a plea of denial, however, the burden of proof by this-worldly evidence is on the plaintiff; while of the divine evidence in the form of an ordeal, oath, or both, on the defendant himself: "No one should compel the complainant into an ordeal; to the one who is complained against should be administered an ordeal by those well-versed in the (rules as to) ordeals." In this text, in the first half a prohibition against the complainant contained in the first half, that kind (of evidence) is restricted in the latter half to the person proceeded against upon the principle that "when a fact which is established, is opened out," it involves a restrictive proof. So says the revered Mis'ra. The Sâmpradâyikas, however, hold that here, by the word complaint is meant

^{1.} Yâjñavalkya II. 17.

^{2.} Verse 191.

^{3.} साध्यते तद्धिनेतरत्; the other reading is साध्यते तद्धि नेतरत्—is established, and not the other. In the comments on this verse Viramitrodaya appears to accept this reading.

^{4.} i. e. human evidence.

^{5.} Of. Kâtyâyana Verses 244, 411,

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a complaint regarding theft, assult, and the like accusations. In the case of a denial against a claim for a debt etc., they say that even the divine proof is also on the plaintiff. (7)

S'ulapâni

Yâjñavalkya, Verse 7.

After the defendant has comprehended the meaning of the plaint, his answer should be caused to be written in the presence of the deponent of the plaint. Kâtyâyana¹ mentions the time for the answer: "For transactions of recent occurrence, immediate only is ordained; while for those of duration, the chief authority may give time to the defendant."

The characteristics of an answer and its varieties are stated by Nârada²: "Men versed in law consider that an answer, which comprehends (the points raised in) the plaint, is concise, unambiguous, not inconsistent, and is easily intelligible without an explanation." 'Comprehends' i. e. covers. "A denial, an admission, setting up a special plea, also; and a former decision, are the answers stated to be four by those versed in the principles (of law)." "If a defendant give a denial to a claim made, that (answer) is known in law as a denial." As says Brhaspati: "After hearing the plaint, if the defendant admits it, that is called an admission by the scholars of the Śastrás. If a defendant, admitting plaintiff's written allegations, sets up a plea, that is called a confession and avoidance. If a person, though defeated by the customary procedure, again files a written complaint, the answer would be, 'you were defeated formerly'; this is called the plea of a former judgment."

After the recording of the answer, one should endeavour to prove it. So says Bṛhaspati³: "After the first statement and the answer are recorded, and the judicial proceeding has commenced, the two are welded together like two balls of hot iron. Where there is a doubt about the truthfulness of the witnesses for both, and the two are in suspense, then as wise men the two should effect a compromise (while the uncertainty lasts)."

In the absence of a compromise, the rule in the text4: 'then the plaintiff &c.' prevails, By the word plaintiff, each is indicated in regard to his own side, and is to be so taken. Thereafter, the plaintiff should cause to be recorded the proof of such witnesses, documents &c., which are the means of establishing the point made out in his plaint, and which have the characteristic of truthfulness; and not after an interval of time. (7).

^{1.} Verse 153.

^{2.} In the Smrtichandrika this text is cited as of Prajapati; see P. 42 L. 30.

^{3.} Oh V. 11, 12.

^{4.} Yâjñ. II. 7.

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What next? So the Author says.

Yâjñavalkya, Verse 8 (1).

If it (the proof) succeed, he obtains success; if otherwise, the reverse i.e, if it do not permit, he fails. 8 (1).

Mitākṣharâ:—Tasya, of that, i.e., of the means of proof having the characteristics inferable from the several texts to be mentioned further on, about the written documents, witnessess, &c., presently to be described, siddhau, in the case of success, if accomplished, siddhim, success, in the form of accomplishing the point at issue, prāpnoti, obtains; ato, other, than this mode, anyathâ, otherwise, the non-establishment of the (means of) proof in any other manner brings on, ápnoti, the reverse, viparītam, i.e., the non-accomplishment of the point at issue which is indicative of a defeat. This is the construction.

Viramitrodaya

The Author states the fourth stage, known as the decision of the point involved

Yâjñavalkya, Verse 8 (1)

Tasya, 'of that', i. e. of the point laid out by evidence such as the witnesses or other means, siddhau, 'if established', i. e. if borne out, siddhim,' success,' i.e. victory; anyatha, 'otherwise' i.e. if not proved, viparitam, 'reverse', i.e. non-success, apnoti, 'he gets'. This is the meaning. According to the Mitakshara, viparitam, 'reverse' means bhangam, 'broken'; that is doubtful. 8(1)

The Author having thus described the nature of a judicial trial now concludes

Yâjñavalkya, Verse 8 (2).

This legal procedure is declared to be of four-fold character in litigation. 8 (2).

^{1.} But no such position appears to have been taken by the Mitakshara.

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Mitâksharā:—The legal procedure, Vyawahára, referred to in the text¹, viz. "A king should hold trials, &c., has thus been upadarsitah, described, to be of four-fold character, i.e., by imagining it to consist of four parts in litigation; i.e., in the chapters on payment of debts, &c., as consisting of four parts and being of four kinds. Of these the first part is called the part relating to the plaint and begins with the text²: "In the presence of the defendant (the plaint) should be written, &c." The second part is the part relating to the answer and is introduced by the text³: "the answer of one (i.e., of the defendant) who has heard the plaint should be taken down in writing." The third part relates to evidence and proof and begins with the text⁴: "Next the plaintiff should cause to be written, &c." The fourth part contains the decision regarding the proof of the point at issue and is in the text⁵: "If it (the proof) succeeds, he obtains success."

As is said "When disputes regarding their interests arise between men, their settlement according to rules *Page 10. laid down in texts is called a Vyavahára or a judicial trial. The four divisions of it, viz., the plaint, the answer, the proof, and the decision are laid down in their proper order; hence it is called four-fold". In an answer by admission, however, the proof is not exhibited, and thus the point at issue is not (necessary to be) established (at all), and so it has not the part which contains the means of proof. So it has two parts only. After the answer is recorded, the decision of the councillors

^{1.} Yâjña. II. 1. p. 632 l. 12. 2. Yâjña. II. 6. see p. 651. 1. 11-15 above.

^{3.} Yâjña. II. see p. 661. 1. 17 above. 4. Yâjña. II. 7. p. 672 1. 13 above.

Yajña, II. 8. see p. 676. l. 4 above.

^{6.} परामर्श = ज्याप्यस्य पक्षवृत्तित्वधी: परामर्श उच्यते. ७. तु. बन्हिज्याप्यधूमस्य वन्हिज्याप्यधूम-पर्वतवृत्तित्वं धी: परामर्श: = धूमो बन्हिज्याप्य: पर्वतवृत्तिश्च इति ज्ञानं परामर्श: Here the परामर्श would be the mental process deciding the onus by sifting the statements in the pleadings with the view of discovering

^{* (1)} how far these statements are relevant to the issue पश्चातित.

^{(2) ,, ,,} have a reference to the relief claimed साध्यवयात्व.

The opponent says that प्राप्त characterized as above has been recognized as a distinct stage in reasoning, how is that Yajiyavalkya does not make it a

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by ascertaining on whom, between the plaintiff and defendant, the (onus of) proof should lie has not been mentioned by the Lord of Yogis (Yâjñavalkya) as a (distinct) part (stage) in a judicial proceeding, and as it (the decision as to the onus) has no reference to the parties, it has not been mentioned here as a (distinct) part in a judicial proceeding. This is as it should be.

Here ends the Chapter on General Rules of procedure.

Viramitrodaya

The Author rounds up the body of Vyawahara detailed before
Yajñavalkya, Verse 8 (2).

Vivadeshu, 'in disputes', such as the recovery of debt and the like, which are the subject matter for consideration, ayam, 'this', of this', character, containing the plaint etc. and therefore, chatushpât, 'four-footed' i.e. having four parts, the meaning of the word Vyawahara, has (thus) been pointed out i.e. illustrated. The illustration is of any vyawahara. Thereby, "In the case of a denial, it is four-footed, as also in the plea of confession and avoidance, and in the plea of res judicata; in the pleas of admission it should be known to be two-fold", thus in this text of Brhaspati, that a two-footed vyawahara has been mentioned, does not matter much. 'In admissions' i. e., this rule should be 80 observed in a plaint to which an answer is not possible. Although even in an (answer by) admission, including the decision, there are three parts, still there, for the declaration of a decision there being no necessity for a separate step, the statement that it is two-footed is proper. On account, however, of a statement as to the ignorance of circumstances on which an answer may be founded, it having receded from the position of an answer, including also this, it can be regarded as having four parts. 8(2).

Here ends the Chapter on General Rules of Procedure.

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S'ulapâni.

Yâjñavalkya, Verse 8.

Upon the evidence adduced being decided to be true, siddhim, 'accomplishment' i. e. success, prápnoti, he obtains.' In the case other 'distinct Pâda (section or chapter). The author replies in the text उत्तराभिधानानंतर &c. This is the प्रत्याकलितपाइ. See Smrtichandrikâ pp. 50-54 and note on p. further on. पोन:पुरुषेन विचारणं प्रत्याकलित-ह्रचोधिनी पू. ६ पं. २०

1. Ch. III. 3; see also Katyayana, Verse 245.

than this, viparitam, 'reverse' i.e., a defeat; this is the meaning. So also Nârada1: "The essential part of proceedings at law is declared to be the plaint; if that is lost, the plaintiff loses; if he can substantiate it, then Uttaro, 'succeeds' i. e. gains it. By the text: 'in the he succeeds." presence of the defendant &c.'. A vyawahara or a judicial proceeding has been stated to consist of four parts, viz., the plaint, the answer, the evidence, and the success or defeat in the form of the decision. So also Bṛhaspati:3 "The plaint is called the (first) part; the answer is declared to be the second; similarly, the evidence and trial, another; and the decision is declared to be the fourth. In the case of the denial it consists of four parts; likewise, in the case of the plea of confession and avoidence; the same rule applies to the plea of res judicalá; but it has only two parts in pleas of admission." Although even on a plea of admission a decision has to be given, still no evidence is to be led or a trial held, and therefore it is said to be of two parts. Including the added one, it is of four parts, so says Kâtyâyana4: "The plaint, the answer, the deliberation of the judges, and the part called the trial; by which is declared to be of four parts." The pratyákalita part, the Author will state hereafter. (8).

Chapter II.

Special Rules of Procedure.

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Having so far laid down the rules of procedure applicable to all kinds of suits, and wishing to point out some peculiarities (of procedure) in some special suits, the Author proceeds

Yâjñavalkya, Verse 9 (1).

Until the complaint is disposed of, no counterclaim should be allowed against him (i. e. the complainant).

Mitâksharâ:—(That) with reference to which an accusation is made is an abhiyoga—complaint, regarding Counterclaim. an offence. Until the complaint is disposed of, anistirya, i.e. removed, enam, him. i.e. the

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^{1.} Ch. I. 6. 2. Yâjñ. II. 6. p. 651 above. 3. Ch. III. 2, 3. 4. Verse 31.

^{5.} Pratyakalita—the deliberation of the judges regarding the burden of proof. Note the following observation in Apararka (p. 61. lines. 10-12). अत्र च तिद्धशब्देन सम्थानामधिप्रवर्धीविषयज्ञयपराज्यावधारणीयासूनं प्रमाणमस्येदं शास्त्रः प्राप्नोतीति विचारकाणां परामर्शः प्रत्याकिलितादिशब्दशब्द उच्यते, तिद्धिप्रजन्तात् । and this text of Kâtyâyana is cited thereafter. So also Mitâksharâ—उत्तराभिधानानन्तरं सम्यानामधिन्ययर्थिनीः कस्य क्रिया स्यादिति परामर्शलक्षणस्य प्रत्याकलितस्य (पृ. १०. पं ३—४),

See also subodhini पौनः पुन्येन विचारणं प्रत्याकलितम् । (पृ. ६ पं. २०).

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complainant should not be allowed to be charged with an offence, na pratyabhiyojayet, no counterclaim should be allowed.

Although a 'special plea' has the appearance of a counterclaim, still inasmuch as it is intended for removing a charge against oneself, it does not come under the present exception. Hence, this prohibition is against that form of counter-charge which is not intended as an answer to a charge against oneself. This has been laid down as having reference to the Defendant.

The Author now states the rule as regards the plaintiff Yâjñavalkya, Verse 9 (2).

Nor should any other person be allowed to file a complaint against one who is already under a charge, nor what has already been alleged should be allowed to be changed.

Mitâksharâ:—Abhiyuktam cha nânyeneti, nor should any other person be allowed to file a complaint against one who is already under a charge &c. As against one who has (already) been charged by another, and who has not got over the charge, another complaint should not be allowed to proceed; moreover, uktam, alleged, what was deposed at the time of the first complaint, that viprakṛtim, change, (if) containing a contradiction, na nayet, should not lead, should not be allowed. The purport is this: Whichever fact has been deposed to in whatever form at the time of the first complaint, that fact should be taken down in the same manner at the time of the formal complaint, and not otherwise.

It may be asked: It has already been laid down in the text¹. viz. "Whatever is alleged by the plaintiff should be reduced to writing in the presence of the defendant," why then has it again been repeated in the text² "nor should what has already been alleged be allowed to be changed?" The answer is: By the text "whatever is alleged by the plaintiff" is meant that those facts which have been deposed to at the time of the first complaint, (the same) should be caused to be written down in the same manner at the time of the Bhâshâ or

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^{1.} Of Yájñavalkya II. 6.

^{2.} Yājñavalkya Verse 9 (2) above.

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(formal) plaint; as it has been said that "a change in the subject-matter ought not to be allowed even though it be made in the same suit"; as e. g. having alleged at the time of the first complaint that 'he (the defendant) borrowed a hundred rupees at interest', it should not be (allowed to be) stated at the time of the formal plaint or Bhâṣhà in the presence of the defendant that 'a hundred clothes were borrowed at interest.' In that case, even if there be no change in the suit itself, there being a change in the subject-matter, he (the plaintiff) would be amenable to a penalty as a hîna-wādi—one guilty of prevarication.

By the text: "nor what has been alleged should be allowed to be changed," a prohibition against a change into another suit is laid down even in cases where the subject-matter fremains the same. As e. g. having said at the time of the first complaint that having taken a hundred rupees at interest, he (the defendant) does not repay (the amount), he says at the time of the second or formal complaint (Bhâṣhá) that he deprived me of a hundred rupees by force.

There¹, a change to another subject-matter is prohibited, while here², a change in the nature of the suit is prohibited, and thus there is no fault of repetition. Nârada³ has made this very thing clear: "He who abandons his first allegations, and resorts to a new one, should be regarded as a prevaricator on account of the change in the suit⁴."

A prevaricating litigant becomes amenable to punishment, but
he does not lose his suit. Thus this direction
* Page 11. given in the present verse, viz. "until the complaint is disposed of &c.," is intended to avoid
mistakes on the part of the plaintiff and the defendant, and has no
reference to the proving or not proving of the point in dispute.
Hence the Author says further on⁵: "After discarding all circumvention, the king should decide disputes according to the actual facts."

^{1.} i.e., in the text प्रत्यर्थि जोत्रतो. &c.

^{2. ,, ,,} ने। क्तं विप्रकृतिं नयेत्। 3. II. 24.

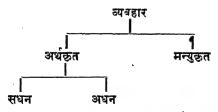
^{4.} पद (Pada) as used here is intended to indicate a suit, the statement of the cause of action; while qual (Vastu) indicates the subject-matter of the suit, or the point involved.

^{5.} Yâjñ. 11, 19.

This (limitation of the rule), however, should be observed in suits relating to property or title. In disputes arising out of acts resulting from violence, plaintiff loses (also) his suit if he makes a false statement. As says Nârada "A verbal trickery does not vitiate all actions relating to property; for in suits relating to cattle3, 5 women, land, immoveables and the recovery of debts, the claim is not dismissed even though the claimant is liable to a penalty." This is explained (thus): In all suits relating to property, not in those originating in anger or passion, a verbal trickery, even if it be through mistake, does not annul, does not get defeated i. e. he does not lose **1**0 his case; his case that is pending. An example here is 'cattle, women &c.' i. e. as in suits relating to cattle, women, recovery of debts, by an erroneous declaration a plaintiff does not lose his case, though he is (otherwise) liable to penalty, so (is the case) in all suits relating to 15 property.

From the specification of 'suits relating to property,' it appears that in suits arising out of acts of violence, the party loses also the claim that is pending, in the case of an erroneous statement. As e.g. having stated at the first complaint that "I was struck on the head by him with his foot", if he says at the time of the formal complaint or Bháshá that "I was struck (either) by the hand or by the foot", he, not only is amenable to punishment, but his complaint is also dismissed. 9 (2).

1. Note the following divisions of Equation.



- 2. Ch. II. 25. Dr Jolly reads सर्वेडविप for संवेडवर्थ.
- 3. पशुद्धी is a better reading; परञ्जी another woman,

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To the rule—"until the complaint is disposed of, no counterclaim should be allowed against him" the Author mentions an exception

Yâjñavalkya, Verse 10. (1)

A countercharge may be allowed in cases of delicts and felonious crimes.

Mitâksharâ:—Kalahe, in delicts, in cases of defamation and assault, sāhaseṣhu, in felonious crimes, in cases of destruction of life by means of poison, weapons &c. (In such cases) when there is a countercharge, it should be allowed against the complainant even while his own complaint is undisposed of.

It may be urged that even in such a case, the countercharge would not be a proper answer inasmuch as it does not meet the case of the plaintiff, and thus (in fact) there being another pratijna or complaint, it is equally impossible to go into a simultaneous proof (of both the charges). To this the answer is: True; but here a countercharge is not allowed with a view to a simultaneous proof, but for an abatement of the punishment, or for avoiding or preventing an excess of it; for, where the complaint is, 'I was beaten or abused by him.' and the countercharge is 'I was first beaten or abused by him,' there would be a light punishment. As says Nàrada2: "He who is the first to inflict an injury is assuredly guilty; he who retaliates is likewise guilty; but for the first, the punishment is heavier." Where. however, the assault etc. is commenced simultaneously for both. an enhanced punishment is avoided. Vide the text3: "When both parties simultaneously commence abusing or beating each other, and a difference (in degree) cannot be found, the punishment for both would be the same."

Thus, even if proof of simultaneousness is impossible, still in cases of abuse &c. a counter charge has a value; in suits for the 30 recovery of debts &c., however, it is simply useless.

^{1.} कलह—violence; दंडाद्दिनतरेतरताडनम्, दंड्यादंड्यादि ; Medhâtithi.

^{2.} Ca. XV. 9.

^{, 3.} Of Narada Ch XV. 8. Dr. Jolly's text reads the first quarter as

Viramitrodaya.

The Author mentions the function of the plaintiff in the interval

Yâjñavalkya, Verses 9, 10 (1).

Abhiyogam, 'complaint', the accusation made by the complainant. anistirya, 'without removing', i.e., is disposed of by the decision resulting in success or defeat, against the complainant, the respondent. na pratyabhiyojayet, 'should not be allowed to counterclaim', i.e., should not be charged for a counter offence committed by him. Anyena, 'by another', while the accusation first made is not removed, 10 until its removal, the defendant should not be allowed to be charged. The substance of the complaint laid should not be allowed to be 'changed', viprakrtam, distorted, i.e., the plaintiff or the defendant should not be allowed to write otherwise.

As regards the clause 'no counter-claim should be allowed against him', in a mutual fight, in abuse, and in cases of serious offences such as the abduction of women, homicide, and the like, and by the use of the word cha, 'and', in cases of assaults and thefts, one may file a counter-complaint. In an accusation such as 'I was abused by him', 'I was beaten by him', one may state as by way of an answer 'I was also abused', 'I was also beaten'. By the use of the first cha, 'and', are included the grown up and the like. 9, 10 (1).

S'ula pâni

Yajnavalkya, Verse 9.

One against whom an accusation has been made, without giving an answer, should not be allowed to charge the maker of the first complaint with a counter-complaint, simultaneously more than one trial being impossible.

The complainant also must not file another complaint against the respondent, as on account of the abandonment of the first complaint. 30 there may be the danger of detriment to the sworn statement. The allegation which has once been made should not be allowed to be distorted by an allegation of a different kind, as there would be the fault a of variation in the pleading. (9).

After laying down the rules for the plaintiff and the defendant, the Author mentions the functions of the Presiding Officer (of the Court) and his Councillors

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Yâjñavalkya, Verse 10 (2).

From both a security should be taken, (such as one) who would be competent to satisfy the object of the judgment.

Mitâksharâ:—Ubhayoh, from both, i. e. from the plaintiff and the defendant. (That which) in all suits (is) the object of the judgment or decree is kâryanirṇaya, the object of the judgment. The word kârya has been placed first under the rule 'Ahitâgnyâdishu.' The object of the judgment, moreover, is the payment of the amount decreed, and the payment of the fine. For that, samarthah, competent, pratibhū, surety; he who becomes a substitute for him, i.e. in that cause, becomes like him, is a Pratibhû; (such a one) should be taken by the Officer presiding the Court consisting of Councillors.

If such a one is not possible, men should be commissioned to watch the plaintiff and the defendant, and the daily wages of these (guards) should be ordered to be paid by those (plaintiff and defendant). As says Kâtyâyana²: "If, however, the plaintiff has no surety competent for the cause, he should be (kept) under a watch; and (he) should pay the wages to the servant at the end of the day."

Viramitrodaya.

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After having stated the duties of the plaintiff and the defendant, the Author mentions the function of the head of the Court along with the Conncillors

Yâjñavalkya, Verse 10 (2).

Of the plaintiff and defendant who had appeared for (getting) justice, for entering upon the trial, a security should be taken, as even regarding the plaintiff, there being the possibility of his running away through fear of penalty. Of what kind? Samarthah, 'competent' or able to meet the purpose of the decision, i.e., for the payment of the amount established, as also of the penalty. After the manner of the rule! "Ahitagni, &c., the word karya, has been placed first.

^{1.} Pâṇini II. 2-37. बाहितास्त्यादिषु. In the compounds आहितामि and the like the Nishtha formed words may optionally be placed first i. e. आहितामि, जातपुत्र etc.

^{2.} Verse, 117.

Or for the object, i.e., for the decision to be given, a security should be taken. It may not be said, having regard to the order of its statement, that the security to be taken is after the decision of the suit, therefore it has been stated that he should be one competent to satisfy the judgment. Or, for the object, which is the subject matter of the suit, such as the recovery of debt &c., for its decision, a security should be taken, (as) if the plaintiff runs away a decision would be impossible. For the absence of the security, however, Kâtyâyana?: "If, however, there be no surety given by the plaintiff who has a cause for dispute, he should be kept under watch, and so guarded he should give wages to the guard at the end of the day". 'Gnard', i.e., the messenger of the king. 10 (2).

S'ulapâni.

Yajnavalkya, Verse 10.

The Author mentions an exception; kulalue, 'delicts' e. g. slander, 15 as also in charges of assault with weapons &c., 'I too was attacked with a weapon by him', such a counter-charge may (be allowed to) be made. In a complaint that 'the attack was made on me when I was quite innocent', in a counter complaint in the counter-charge, the fault of simultaneity by numerous complaints does not occur.

A surety should be taken who would be competent to keep the complainant and the respondent under restraint, until the decision of the proceeding. In the absence of a surety, he might change, so says Kâtyâyana'. "If, however, there be no surety given by the plaintiff who has a cause for dispute, he should be kept under watch, and so guarded he should give wages to the guard at the end of the day." 'Guard', the royal watchman. (10).

It has been said that a surety should be taken by the presiding officer of the Court consisting of Councillors from the plaintiff and the defendant, who would be able to satisfy the object of the judgment; it may be asked what is that object of the judgment? Anticipating this, the author says

* Page . Yâjñavalkya, Verse 11.

When, upon a denial (by the defendant), a claim is proved, he (the defendant) should pay the amount claimed

^{1.} पाटकनेण i. e. since the rule regarding the taking of a security comes to be mentioned after the decision, following the order of its statement.

^{2.} Verse 117.

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(to the plaintiff) and also an equal amount to the king. One setting up a false claim should pay double the amount claimed.

Mitâksharâ:—Of the claim alleged by the plaintiff if upon a denial by the defendant the claim is proved, bhâvitah, by the plaintiff by means of witnesses &c. and thus brought home to the defendant, then the defendant should, give the amount, dadyâd dhanam, in dispute to the plaintiff and also an equal amount to the king, Râjñe cha tatsamam, as a fine for the denial. If, however the plaintiff is unable to establish (his case), then he himself becomes mithyâbhiyogi, a false claimant, and as such should give to the king, dadyâdrâjñê, double, dwiguṇam, the amount of the plaint abhiyogât, i. e. the amount claimed in the plaint.

In the case of the plea of 'res judicata' and of 'confession' and avoidance' this same rule should be applied. There, too, when the plaintiff is shown by the defendant to have set up a (false) denial, he should give to the king a fine equal to the amount in dispute. If, however, the defendant is unable to establish either the plea of res judicata or of the special plea then he himself should give double the amount to the king as for having set up a false plea, while to the plaintiff the amount claimed or in dispute. In an answer of admission, however, there is no fine.

This, however, has a reference only to the suits for recovering debts. It is not of universal application, inasmuch as special fines have been mentioned in (all) other (kinds of) suits, in their respective places, and also as it cannot possibly occur in suits where the subject-matter is other than money.

And although the rule¹ that 'a debtor should be made to pay by the king &c.,' has a reference to or applies in suits relating to the recovery of debts, we will particularize it there² only.

The same rule should even be used as having a reference to all (kinds of) suits. How? If upon the defendant's setting up a denial

^{1.} Verse 117.

^{2.} See Verse 42 further on.

of the claim it is proved by means of witnesses &c. by the plaintiff as against the defendant, then equal to it, tatsamam, i.e., to the very amount specified respectively in each (kind of) suit. The word cha is used to restrict the extent (of the fine). 'The amount should be paid to the king' is the (construction based on) repetition.

If the complainant is not able to bear out this complaint, then the rule laid down is that a double amount of that mentioned in each suit should respectively be paid by him as a fine for (being) a false complainant. Here also in the plea of res judicata and of a 'special plea' the rule should be applied similarly as before.

Viramitrodaya

The Author mentions the procedure in regard to a defeated defendant or plaintiff

Yâjñavalkya, Verse 11.

Ninhave, 'upon a denial,' of a true claim by a false statement bhavite, 'when proved' by witnesses also the matter being brought home the defendant should give to the plaintiff the amount which is the subject matter of the suit. Rajñe cha tatsamam dhanam dadyat, 'to the king also he should pay an amount equal to it' in the form of a penalty. A plaintiff, setting up a false claim, should pay to the king an amount double that in dispute. By the use of the word cha, 'and,' the Author adds another penalty in cases of slander &c. Here Manu²: "Upon a denial of the claim, if it is established by evidence, he should be ordered to pay the debt to the creditor and a small fine according to capacity (52). He, to the extent to which he denies the claim, or to the extent to which he speaks falsely; those two adepts in illegality should be punished with a fine double of that" (60). Here, moreover, the determination of the punishment of those who deny the claim, in equal or

^{1.} Words have the force of प्रवृत्ति or ज्यावृत्ति i. e. of having a wider surface covered by the connotations than is indicated by the denotations. In this connection the distinction between नियम and परिसंख्या may be compared. In 'पञ्चपञ्च नखा भक्ष्याः' all animals other than the पंचनख are excluded (ज्यावृत्ति;) while in 'सभे देशे यजेत' it is not so much the exclusion (ज्यावृत्ति) of विषमदेश, although that may be the ultimate result, as the selection of a समदेश (प्रवृत्ति) that is aimed at. So Vijfianeswara says that by the use of the word cha, Yajfiavalkya means to lay down that an amount equal in amount to that in dispute, and not more or less, should be levied as the king's fine.

^{2.} Ch. VIII verses 52 and 60.

double the amount should be made by a consideration of the caste, age and wealth, of these. As the Author has said!: "After taking into consideration, the country &c." (II).

S'ulapâni

Yâjñavalkya, Verse 11.

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In a plaint regarding the payment of money, one who has filed an answer of denial, when the claim has been established against him by means of witnesses and the like, the debtor should pay the amount to the creditor. To the king also he should pay an equal amount as penalty. In the case of a denial and an admission, Vyâsa has mentioned half as penalty: "After denial, when the plaintiff voluntarily admits the claim, that should be known as an admission; for that a half penalty has been declared". Other penalties in particular cases, should be ascertained from other Smrtis by regard to the existence or non-existence of the element of intention as an ingredient in the offence.

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One who offers a false complaint should pay double the amount of the complaint to the king. In regard to the $\acute{S}udra$, Narada states a special rule: "Those of the $\acute{S}udra$ order who file a false complaint against the twice-born, the king should cut out their tongue and impale them upon a cross." (11)

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By the text: 'Next, the plaintiff should immediately have written down the evidence by means of which the matter in dispute is to be established,' it has been shown that (some) time should be allowed at the stage of filing the answer; the Author mentions an exception to this

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Yâjñavalkya, Verse 12.

In charges regarding felonies, theft, assault, and cow-killing, and in complaints about risk to life and property, and in complaints against defamatory imputations, as also in cases concerning women, the parties must even immediately be asked to plead. In other suits time has been allowed under the discretion (of the court).

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Mitâksharâ:—Sâhasam, a felonious crime, by means of poison, weapons, and the like, the killing of animals and doing like

^{1.} Compare this with Narada I. 45,

^{2.} Achārâdhyāya Verse 368.

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other acts; stéyam, theft, stealing; pâruṣhyam, assault, verbal abuse and bodily assault, to be defined further on. Gauh, cow, i. e. a milch-cow. Abhisápah, defamatory imputation, imputations about the commission of a sin. Atyayah, risk of life and property, danger to life and wealth; regarding it. The singular is used as the Dwandwa (इंड) compound is indicative as if it were a single object.

Striyâm, concerning women, high-born women, as well as slave girls. In the case of high-born women, in disputes regarding good conduct or character, in the case of slave-girls, in disputes regarding ing the right of ownership. Vivâdayet, be asked to plead, be made to file an answer. Sadya eva, even immediately, no time should be allowed to intervene. Anyatra, in other suits, kâlaḥ, time, time for filing an answer, ichchhayá, under the discretion, i.e. of plaintiff, defendant, Councillors and the officer presiding, or the chief officer, smrtah, allowed, i. e. has been laid down.

Viramitrodaya.

It has been stated that 'of the plaint which has been heard (by the defendant) an answer should be caused to be written'; there by regard to the difference in the subject matter, the Author states the awaiting or not awaiting of time

Yâjñavalkya, Verse 12.

In complaints about crimes &c., the defendant should be asked to state his defence immediately, i. e, should be made to do everything which is useful for reaching a decision such as the filing of an answer and the like. Anyatra, 'in other suits', such as the recovery of debts &c., ichchhay&, 'under the discretion' i. e. with a desire to find out the truth, an interval i. e. time has been stated in the Smṛtis. So Kātyāyana?: "Where the thing is likely to be reduced to deterioration, or destruction, or a loss might occur, there time should not be given; such a matter should be proceeded with as urgent." And Nārada³ also: "In suits relating to debts or the like other subjects, time may be given with a view to ascertain the truth."

Sahasa, 'with force', i. e. offensively in the presence of people, what is done, such as an attack upon another and the like is called

^{1. &#}x27;सर्वोऽपि हृंदो विमापेकवद्भवति' 'All Dwandwa compounds are used optionally as indicative of a single object.—परिमापेन्द्रशेखर:

The singular is used, as the z=z compound is indicative as if it were a single object.

2. Verse 149.

3. Ch. I. 44.

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Sahasa, 'a felony'; steya, 'theft,' i. e. stealing; parushyam, 'assault' i. e. a verbal assault, as well as a bodily assault; go, 'cow' i. e. a milch cow; abhiśapah, accusation'; atyaye, 'danger' i. e. the possibility of the death of either the plaintiff or the defendant. This is the locative absolute. Anyatra, 'elsewhere,' i. e. in other disputes. Striyam, 'concerning women,' regarding the character of a high-born lady. (12).

S'ûlapâni

Yâjñavalkya, Verse 12.

 $S\bar{a}hasa$, 'heinous offence,' i.e. man-slaughter, gau, 'cow,' here, a milch cow; abhiyoge.' accusation' for a heinous crime; by means of that; atyaye, 'loss,' i.e. destruction of property; $striy\bar{a}m$, 'regarding a woman' i.e. a high born lady in a dispute about character; in the case of a $d\bar{a}si$, a minor dispute; in the case of these proceedings he should be asked to file an answer immediately. (12)

Yâjñavalkya, Verses 13, 14 and 15.

He who shifts from one place to another place, licks his lips, whose forehead perspires, as also he whose countenance changes colour; (13) who has a stammering and incoherent speech, and talks inconsistently and too much, who does not respond to the speech or gaze of others, and who moreover bites his lips; (14) who exhibits by his own movements a perturbation in mind, speech, body and action, is known as defective and unfit to be a complainant or a witness (15).

Mitâksharâ:--Mano-wâkkâya karmabhiryo swabhâvâdeva, who in mind, speech, body and action
* PAGE 13. exhibits by his own movements, not by reason of fear,
&c., vikṛtim, perturbation, change (for the worse),
yâti,¹ goes; such a one is known as unfit to be a complainant or a
witness, abhiyoge sâkṣhye wâ duṣhṭaḥ parikîrtitaḥ. The
Author points out the deformity in detail. Des'âddes'ântaram
yâti, shifts from one place to another place, does not stand steady anywhere. Sṛkkinî, lips, the corners or the edges of the lips, pariledhi,

licks, touches by the end of the tongue or rubs, an instance of a deformity in action.

Asya lalâtam swidyate, whose forehead perspires, becomes smeared with drops of perspiration. Mukham cha Vaiwarnyam, countenance also has a 5 Characteristics changed colour, a changed colour i. e. palour or of an unfit person. shadiness; eti, assumes,1 are instances of bodily Paris'ushyatskhaladwâkya, who has a stammering and incoherent speech; parisushyat, stammering with a stutter; skhalat, incoherent. He whose speech is of such a sort. of this description. Viruddham, inconsistent, the last contradicting the first; bahu bhashate, talks much; is an instance of perturbation in speech. To the words, wacham, of another, he does not attend by giving a reply; nor does he attend to the gaze, chakshuh. of another by a responsive look—a sign of mental deformity. Tatha Oshthau nirbhujati, moreover bites his lips, i.e. twitches—is also an instance of a bodily change.

This, however, has been mentioned to indicate a probable existence of a defect; not as a positive mark of the (existence of) defects as it is difficult to appreciate the distinction between a natural defect and a defect caused by a special circumstance. And even if perhaps a skilful person draws a distinction, still that (by itself) will not be a sufficient cause for a dismissal of (the suit). No one would set about actually performing the exequial rites by merely observing (the) signs (of impending death) in a dying man. Similarly, even if it be known from the signs that the party would be defeated, still, that (by itself) is not sufficient to bring about (an actual) defeat.

Viramitrodaya,

The evidence to be adduced by the plaintiff has been stated 30 before. Now, what cannot be adduced by him, and which is to be in erred by the Chief Judge, the Councillors and the rest, viz. inferential evidence otherwise called the pratyakalita, the Author points out

Yâjñavalkya, Verses 13, 14, 15.

Mano-vak-kaya-karmabhir yah swabhavad, 'who in mind, speech, body and action exhibits by his own movements (manners) i. e. without

^{1,} Lit: goes or reaches,

any other cause possibly due to disturbance etc., vikrtim 'a change,' 'a perturbation,' i.e. yati 'goes', i.e. reaches; sa, 'he'; abhiyoge, 'in a complaint' i.e. in a dispute, sakshye, i.e. 'testimony' i.e. in a proceeding as a witness; dushtah parikīrtitah 'known as defective and unfit', in the S'astra. Therefore a complaint made by him or a testimony given by him is not taken as proof. This is the meaning.

The Author mentions the perturbation itself: Desat, 'from a place ' i. e. from the place of his own residence, desantaram ' to another place '; váti, 'goes', in other words, in regard to his residence does not anywhere exhibit stability; srkkinî, 'lips' i. e. border of his lips, by a 10 repetition i. e. often and often with the tip of his tongue; ledhi, 'licks', i. e. rubs. Asya, 'of him,' i. e., of this defective person, lalatam, 'forehead,' swidyate, 'perspires,' is saturated with perspiration. Mukham cha, 'mouth also'; vaivarnyam, 'changed into non-colour,' i. e., palour, eti, 'attains' i. e. reaches. Parisushyat, 'dry' i. e. the mouth becoming dry, skhalat, 'stammering' i. e. incoherent; one who has this, is that. Thus it is a Karmadharaya, 'compound.' Viruddham, 'inconsistent,' i.e. the prior and the succeeding portions mutually contradictory; bahu, 'much,' much more than is useful, bhashate, 'speaks,' i. e. utters. 'speech,' to oneself, words addressed by another; chakshuh, 'eyes' of another bent towards one's gaze. This is a dwandwa compound indicating as if it were a single object; No pajayati, 'does not respond,' i.e. does not meet by a return speech or by a response in gaze. Oshthan, 'lips,' nirbhujate', 'bites,' i.e. distorts. Of these perturbations the mental &c. may be inferred according to the local conditions of each. By the use of 25 the words, cha, 'and,' api, 'even,' tatha, 'and also' is intended to indicate that "Although asked by many to speak, does not speak, and does not prove what he has stated; or who does not know what is the first point, and the point next following; such a one fails in the suit. (57). Having declared 'I have witnesses who know,' when asked to point 30 out, who does not point out; the officer of the law-court, on (account of) these grounds, may declare him also to be non-suited." (58). These and others stated by Manu² and others are also to be included. (13, 14, 15).

S'ûlapâņi.

The Author mentions the characteristics of a faulty person in 35 the pratyākalita part

Yâjñavalkya, Verses, 13, 14, 15.

Wākchashuriti, 'speech, gaze &c.', to the speech of another, does not respond by a reply, and also another's eye, he does not meet by

^{1.} See note on page 690.

^{2.} Ch. VIII. 57, 60.

looking back Nirbhiyāti, 'bites', i.e. distorts, exhibits a perturbation; The meaning is, is not able to cover these. As in the Râmâyana: "Although covered in the outward form, it is not possible to be covered; indeed from its force it exhibits the internal feeling of men. " 'Outward form' i.e. the bodily movements. The mouth, in the form of a changed colour and the like, the mental perturbation is inferred from the bodily change These movements from place to place and the like are indicative of a defect (13, 14, 15).

Yâjñavalkya, Verse 16.

10 He who tries to substantiate a doubtful claim independently (of the means of proof), he who absconds, as also he who when summoned into the court does not say anything, is considered to be a false litigant and punishable as such,

Mitâksharâ: -- Moreover, sandigdham artham. doubtful claim, even when not admitted by the (defendant) debtor. 15 yah swatantrah, who tries to substantiate independently of the means of proof i.e. by confinement, arrest &c., sa hino dandyascha, he is considered to be a false litigant and also becomes punishable as such. Likewise he who after himself having admitted a claim, or after a claim was established by means of proof, absconds nishpatet. **2**0 when asked (to pay). He, moreover, against whom a claim has been filed and who even when summoned, ahuto, by the king into the court, does not say anything. He also is considered a faulty litigant and punishable as such. This is the construction.

As this verse, has been introduced by the text1 "is known as defective and unfit to be a complainant or a witness" it might be supposed that this verse is intended simply for detecting a faulty litigant (without more), so the word dandya (punishable) has been used. Moreover, from the text2: "even if one makes himself amenable to punishment as guilty, he is not liable to have his suit dismissed" 30it has been shown that a party does not lose his claim. Intending to avoid such a conclusion here, the author has used the word hing. (faulty).

^{1.} Verse 15 above p. 691 ll. 22-23.

^{2.} of Narada II. 25, see above verse (9) where the full text is cited,

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Viramitrodaya.

Some deformities, although indicative of defectiveness, may even affect one who is not punishable; so the Author says

Yâjñavalkya, Verse, 16.

Sandigdham, 'doubtful', i.e., not decided in his favour by the investigation, artham, 'claim', and therefore also swatantrah, 'independently', i.e., irrespectively of the certificate of success to be issued by the investigating authority, sadhayet, 'tries to secure', i.e., secures to himself; yaścha, 'he also', who when challenged for an inquiry, nishpatet, 'absconds', i.e., from the seat of investigation runs away. Yaścha, 'he also', ahatah, 'summoned', does not speak anything, either in support of his side, or detrimental to the other side, sa, 'such a one', hinah, 'a false litignant', i.e., a faulty one, and by reason of the offence of executing a claim under a doubt, 'is declared by the Smrtis also 'to be punishable by the king', rajña dandyaścha smrtah.

By the first (use of) cha, 'and', are included those who do not attend at the place of inquiry. By the second (use of) cha, 'and' is included one who when unable oneself, who does not appear at the trial through a deputy. By the (use of the) third cha, 'and' is indicated that he should be compelled to pay what is in dispute.

These deformities, moreover, not likely to be proved by any other than one who is a thorough expert, are only means of indication of a disturbance. Otherwise, the possibility of a perturbation may here be taken as conclusive. A decision by regard to these is called among the people a direct¹ deliberation. (16).

S'ûlapâņi

The Author states the characteristics of a defeated party Yâjñyavalkya, Verse 16.

If in a claim which is under a doubt one recovers independently of the (prescribed) means; nishpatet, 'absconds,' i. e. without informing goes to another village; after he is brought for being questioned, when asked 'what have you to say', speaks nothing whatever—these three as false litigants are to be punished as such. Nârada? however mentions five varieties viz: "One who changes his pleading, one avoiding a trial, one failing to appear, one who does not file an answer, and one

^{1.} प्रत्यक्षविचार: See the remarks of the Mitakshara above on p. 678, l. 1. quoted in the note on page 679, प्रत्याकलितेन.

^{2.} Ch. II. 33.

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who absconds after he is summoned, are five varieties of a faulty litigant." "The absconder, after three fortnights; one who keeps silent after seven days; and one avoiding a judicial investigation, after a month, and an incongruous deponent immediately (are declared as vicious or faulty)." 16.

Now, where two men simultaneously go to the officer of justice, each as plaintiff e.g., where, a certain person having obtained land by gift, after enjoying possession of it for some period went out on account of business into another country along with his family; and a certain other person also obtained the same land by a gift and after enjoying possession for some time, went into another country. Thereafter both returned together and there was a quarrel each saying "this is my land, this is my land," and when both go simultaneously to the officer of justice, the question would be on whom should the burden of proof lie? Anticipating this, the Author says:—

Yâjñavalkya, Verse 17.

When there are witnesses for both sides, those for him who claims priority should be taken first; and if the first claim be invalidated, then those (ie., the witnesses) of the next claimant should be examined.

Mitâksharâ:—Ubhayataḥ, for both sides, i. e. for both the litigants. Witnesses, sâkshishu, i. e., when they are available. The witnesses for him who claims priority, sakshinaḥ pûrvavâdinaḥ, should be examined; i.e. one who says that he got (it) by a gift and had enjoyed at a prior date. A Pûrvawâdi, a person claiming priority, is not one who first makes a complaint. The witnesses for such a one should be examined.

When, however, another person says:—"True it is that this a man first got it by gift and also was in possession, but the king gave this very field to me after purchasing from this very man, or that this man gave it to me after having obtained by gift"—then, the case of the first claimant becomes invalidated as it cannot be proved, and

when the case of the first claimant is invalidated, the witnesses should be examined of him who says that he got * Page 14. a gift at a later date and was in possession (since).

This explanation — alone is proper. It would not be proper to put the following interpretation, viz., if the answer is by denial, the witnesses of him who claims priority are examined; while in the answers of res judicata and special plea if the case of the first claimant be invalidated then would come in the witnesses of the next claimant. The same import having been laid down in the

text-'Next, the plaintiff should immediately have written &c.', 2

there would be the fault of repetition.

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The first (mode of) explanation has also been brought out clearly by Nârada³ who after observing—"In the case of a denial, the proof rests on the plaintiff, while in a 'special plea', on the defendant. For establishing a former judgment the (production of the) decree would constitute (sufficient) proof," says:—"When two persons quarrel for a point, and both have witnesses, the witnesses of him who sets up a prior claim shall be heard."

This rule has been specially mentioned as it differs from the rules of procedure for suits in general. (17)

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Viramitrodaya.

"Then the plaintiff should cause to be written the means of proof of the allegations in the plaint", so it has been said. There, when the means of proof exist for both the plaintiff and the defendant, whose should be taken up (first) for consideration? So, the Author states the rule here

Yâjñavalkya, Verse 17.

Ubhayato, 'of both' i. e. of the plaintiff and also of the defendant, when witnesses and like other means of proof exist, parvavadinah, 'of him who filed the plaint,' the witnesses and like other means of proof 36 should be admitted; such is the general rule.

1. i. e. taking both as plaintiffs and not one as अभी and another as प्रस्थी.

3. Oh II. 163.

^{2.} Yâjfiavalkya 7 (2) page 672 above.

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Here, the Author states an exception: When the first side, i.e. in the form of the plaint, adharibhate, is invalidated, i.e. is proved to be weakened as compared with the answer, either on account of a stronger reason, or by reason of the plea of res judicata, the witnesses, &c., of the respondent happen to be accepted. This moreover has been particularly elaborated before already. (17).

S'ûlapâņi Yâjñavalkya, Verse 17.

One says, 'mine is this land by (right of) purchase'; another also says 'mine is this land, by (right of) purchase'; thus when the answer of a special plea is equal, and witnesses of equal kind are adduced, the witnesses of the party lodging the plaint are to be accepted, and not of one who sets up a plea of priority.\(^1\) Such an interpretation is proper as by regard to the text\(^2\): "In the case of a pledge, a gift or a sale, however, the prior transaction preponderates," there would be the fault of repetition if the first claimant be invalidated by not adducing a stronger reason to an answer, the witnesses of the respondent should be taken. By the use of the word witnesses, are included documents and the like. (17).

Yâjñavalkya, Verse 18.

If a dispute is accompanied by a wager, then the defeated party should be made to pay a fine and the amount of his wager (to the king), and also the amount in dispute to the judgment-creditor.

Mitakshara:—Moreover, if a dispute, vivado, i. e. a judicial proceeding, be sapanah, accompanied by a wager,—staking is (the same thing as) wager; and that which contains this is one accompanied by a wager,—then there, tatra, i. e. in that proceeding which contains a wager, the defeated party, hinam, who has been described above, the king should make him pay a fine, dandam, as also the amount of the wager laid by him; and to the (judgment) creditor the amount in dispute, dandam.

^{1.} It appears that S'ulapani here differs from M takshara where mere priority in lodging a complaint is not given preference to a prior existing right (see text. p. 13. 11: 28-29). पूर्वस्मिन् काल मया प्रतिगृहीतसुपधुक्तं चिति यो बद्दि असी पूर्वबादी, न पुनर्थ: पूर्व निवेदयति ।

^{2.} See further Yajn. II. 23,

Similarly where one being under the influence of anger, makes a stipulation thus:—"If I am defeated, I shall pay 100 panas", and the other (side) does not make any stipulation, then also a judicial proceeding is set in motion; and when it is commenced, and if the person making the stipulation loses, then he himself should be made to pay a fine together with the sum stipulated. The other (party), however, if defeated, should be made to pay the fine, and not the stipulation as the text particularises it (i. e. his stipulation) as for one's own.

Where, moreover, one stipulates 100 and the other 50 only, there also in case of a defeat each should be made to pay respectively the amount stipulated by him alone. By the text "if the suit is accompanied by a wager" the Author has indicated (the existence of) a suit without a wager also. (18)

Viramitrodaya.

Generally, it is only when the means of proof for both exist that a suit with a wager comes about. By regard to this, the Author mentions the part to be performed by the defeated party in a suit with a wager

Yâjñavalkya, Verse 18.

As characterised above if a suit exist, then in a trial with a wager, the investigating officer should compel the defective party who loses, to pay to the king or to the opposing party respectively as the case may be, viz., to the king, the penalty consequent upon the defeat; to the opponent the amount which was the subject matter of the suit, and his own wager, viz., the subject matter as well as the amount. By (the use of) the word tu, 'however', in a suit without a wager, is excluded the payment of wager. By the first (use of the word) eva, 'only' is excluded the payment of the wager laid by the other party and not agreed to by himself. By the second, and accompanied by the expression dhanine eva, 'to the judgment-creditor only' is excluded the payment of money in cases other those involving a money claim, such as slander, &c. The first two cha's are intended to include the payment of the penalty and the wager which are not payable. The last cha, 'and' is indicative of payment of all the three together, viz., the penalty, &c. (18).

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S'ûlapâņi

Yâjñavalkya, Verse 18

"If I am defeated on a footing of equality, then as an additional penalty due for a defeat, I shall pay so many panas," thus where the defendant stipulates with extreme boastfulness, that is (known as) a suit with a wager. In such a case, the penalty for a defeated party, as also the wager laid by himself, should be caused to be paid to the king, and also the amount in the suit to the creditor. (18).

Yâjñavalkya, Verse 19.

After discarding all circumvention, the king should decide disputes according to the actual facts; for even a real claim (based on actual facts) if not properly presented is likely to be lost in a judicial proceeding.

Mitâksharā:—Moreover, chhalam, circumvention, what has been wrongly said; nirasya, after discarding, after throwing off; bhûtena, according to the actual facts, in pursuance of the real state of facts, a king should bring disputes to an end, vyawâhârân nayedantam nṛpaḥ. Since, even a real claim, bhûtamapi i. e. a true case, anupannyastam, if not properly presented, i. e. if not properly pleaded, is lost, hīyatê, i. e. suffers a defeat in a judicial proceeding, vyawahâratah, at the trial on account of witnesses &c.

Therefore the actual facts should be found out. The presiding officer of a Court along with councillors, by gentle persuasion and such other means, should try in such a way that the plaintiff and the defendant would speak the truth only; (for) in that case the decision would be given regardlessly of witnesses &c.

If, however, it is absolutely impossible to find out the real facts, (then) in that case, the second course is that the decision should be given by examining witnesses &c. As has been said¹:—"It (i. e. a legal proceeding) is said to have two courses, as it is capable of being in pursuance of facts, or founded on error. A fact is that which truly embodies the actual events. An error is what has been erroneously deposed to."

^{1.} Nârada, I. 29.

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There a decision given in pursuance of actual facts is the principal course, that founded upon error is only secondary. In a decision based on (the evidence of) witnesses and documents, the truth may sometimes be followed, sometimes not, as it is possible for witnesses &c. to deviate (from the truth.)

*PAGE 15.

Viramitrodaya.

As a suit is regarded two-fold on account of the distinction of being with or without a wager, so also by regard to its being founded on truth, or on error, it is two-fold. For it has been said: "By reason of its being founded on truth or on error, it is said to have two courses. Truth is what is linked with facts; what has been declared by mistake, is error." Thus the word mistake here is merely indicative of a proceeding which is not in pursuance of facts. There, as far as possible, a trial should be observed only in pursuance of facts; so the Author says

Yâjñavalkya, Verse 19.

Bhâtena, 'according to facts' in connection with the matter in issue by means such as peaceful negotiations &c. by the party speaking as to actual facts in the form of his movements or the actions of the other side by reference to dates, having discarded the statements in the nature of circumventions, nrpo vyavahârân nayet, 'the king should decide disputes,' i. e. carry to their own results in the form of a decision.

At times a suit is likely to be decided even in pursuance of an error, so the Author says, bhûtam, 'actual facts,' i.e. a real fact although with proper connections such as witnesses &c., if not properly set out before the determination of success, in a suit to be managed, hīyate, 'suffers a defeat,' becomes impossible of accomplishment. In such a case, the trial will only be in pursuance of an error. By the expression, 'even facts if not properly set out' are included by extension all transactions well known as being in pursuance of facts.

'There, a transaction proved according to rules of Sastra is as under: "One who abandoning a strong ground resorts to a weak one, would not be allowed to resort to it again after the members of the judicial assembly have reached? the stage of success." When a law

1. By Nārada I. 29.

3. Kātyāyana, Verse 221.

4. Nârada I. 62, 63.

^{2.} जियेऽनचूते i, e. have recorded their decision as to who should succeed.

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suit has been decided, evidence becomes profitless, unless a document or witnesses can be produced who or which had not been announced at a former stage of the trial. As the (fertilizing) power of rain is thrown away on ripe grain, even so evidence becomes useless when the suit has been decided."

Popular usage in transactions, such as "If I do not go tomorrow, I am (to be considered as) defeated," an agreement like this and others. (19).

S'ûlapâni

Yajñavalkya, Verse 19.

"Truth is what rests on true facts. Error rests on a mistake of facts", vide this text of Narada², if real facts are clearly ascertained by means of other proofs, then whatever had been declared through error should be given up as not final, and by means of positively ascertained facts, judicial investigations should one conclude; as even actual facts if not put forth in a judicial court lead to a defeat; so Narada³: "What through error is not declared, that even though it were an actual fact is lost at law; therefore, judicial trials should one investigate by regard to actual facts." "Moreover by the king particularly by one who is anxious to maintain the (integrity of) law, by regard to the diversity of the human mentality, after discriminating the good from the not good". (19).

"Even a real claim is lost in a judicial proceeding if not properly presented" the Author mentions an illustration of this text

Yâjñavalkya, Verse 20.

Where the defendant sets up a denial and it is not confined to one only of the many particulars written in the plaint severally, and the claim is (afterwards) proved in

^{1.} Asahāya has the following note on this: "This wicked debtor owes me money, and although this is supported by witenesses and other evidence, he declines to give it. Therefore he must be produced in my presence before the King's Court.' If the claimant says so, and does not produce his proof at the time of the evidence, but offers to produce afterwords, it cannot be admitted as evidence. But, if after making the statement, the claimant could not produce it owing to any accident etc., it may be offered, and it shall be accepted although the case had already been decided, and sureties were offered and taken."

^{2.} Narada I. 29.

one particular, he should be compelled by the king to pay the entire claim. He (the plaintiff) should not, however, be allowed to recover (from the defendant) what had not been alleged in the plaint.

Mitâkṣharâ:—Naikam, severally, many particulars, e. g. 5 gold, silver, clothes &c.; likhitam, written, allegation made by the plaintiff; if the defendant denies, niḥnute, i. e. conceals the whole claim, then, if the claim is proved, bhâvitaḥ i. e. the defendant is made to admit, the entire claim i. e. with regard to silver &c. (also) as alleged in the plaint should be caused to be paid to the plaintiff 10 by the king, nṛpeṇa.

Na grâhyastuaniveditah, should not, however, be allowed to recover what has not been alleged. What had not been alleged at the time of the first complaint, but afterwards is being informed by the plaintiff saying that it was formerly forgotten, he should not be 15 allowed to recover, na grâhyah i. e. to be (allowed to be) paid, by the king.

It must not be supposed, however, that this rule is merely textual; the falsity of the defendant's denial as to one particular having been established, it leads to the possibility of (establishing) 20 its falsity as to other particulars also. Likewise, the truth of the plaintiff's allegations having been established in one particular, it raises the probability of its being true in other particulars also. Thus, from this very text of the Lord of Yogis² supported as it is by the rules of Logic which is only³ another expression for 'the rules of 25 probative reasoning,' the resulting rule (that comes to be established) is that the king should cause the entire claim to be paid.

And when a suit is being decided in pursuance of the rules of logic, even if the real facts stood otherwise, no fault would attach

^{1.} বাৰনিকম্—based on a text. i. e. its soundness can be established even by the test of logic as will be seen from the next sentence.

^{2.} i. e. the sage Yâjñavalkya.

^{3.} तर्कापरनामसम्भावना

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to the judges deciding the suit¹. As also (says) Gautama², after stating—'Rules of logic are a means for arriving at a judicial decision. For getting at a decision with (the help of) it (logic), parties should be placed in their proper positions respectively,' he concludes³ thus: 'therefore the king and the preceptor are blameless.'

Moreover it is not that the consequences of a (false) defendant being confronted in one particular extend only⁴ to his testimony not being accepted (as a reliable one) because the text is that 'a party confronted in one particular should be made to pay the whole (claim) by the king.'

The text of Kâtyâyana⁵, however, viz. "Even in suits involving several counts, as much amount as the creditor (plaintiff) establishes by means of his witnesses, so much only does he get". has a reference to (suits for a) paternal6 debt payable by the sons and others. There the rule is that sons and others in their answers 15 in a suit with reference to several claims saying 'I do not know', do not become guilty of prevarication; (and) even if a claim is proved against him in one particular he does not become a false litigant, and so the rule-"where the defendant denies all the particulars &c." has no application there, as there is no concealment, and therefore no 20 (scope for the application of the) rules of logic. The text of Kâtyâyana⁵ viz. 'Even in suits involving several counts &c.' is a general rule. Putting aside the 'false answer' which is the subject of a special treatise, the author treats it as an answer of ignorance.

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^{1.} It may also be thus rendered; Even if it were different from the real facts. 'वस्तो अन्ययानेऽपि ।'

^{2.} Chap. II. 23-24.

^{3.} Chap. II. 32.

^{4.} एताबद् &c. i. s. only thus far, to this extent. It is not that from this text the incapacity would extend to the length of only the party's case not being accepted. The Author says that it extends further, viz. 'त्रेण सर्व दाप्य:'. The meaning is that in the case of false witnesses the only consequence is that their testimony is not accepted; whereas in the case of dishonest litigants, not only that their testimony is not accepted but that they are punished to the extent of the entire claim in dispute being thrown out.

^{5.} Verse 473.

^{6.} पित्रादिऋणविषयम् is a better reading and is adopted from Balambhatti. See Balambhatti page 24, 1. 18. पुत्रादिदेशपित्रादिऋणाविषयम्।

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It may be said that by the text¹ viz. "In suits for the recovery of debts and the like which are of a quasi-finite character, the amount in dispute being already ascertained, if the allegation is for a less or a greater amount, the claim does not succeed", Kâtyâyana, has said that in suits containing more points than one, if only one point or more points than one which are involved are proved by witnesses, the whole claim does not succeed. That being so, when only a portion is proved, from where does follow the proof of the portion that is not proved?

To this the answer is that where witnesses are produced as the means for proving the entire claim alleged in the written plaint, there in case the witnesses depose to a portion only or to much more than what was claimed then in such a case the whole claim does not succeed; this is the meaning of that text. Even there, from the wording of the text viz. "being ascertained...does not succeed", a doubt would even lie here as before and thus there is scope for other evidence (means of proof), on account of the rule in the text "after discarding all circumvention &c."

In the case of criminal complaints, however, the whole point alleged is considered as established even if only a portion is established by witnesses produced for proving the whole case; because crimes and the like are considered as proved by so much proof, as also on account of the text of Kâtyâyana³ viz. "In complaints for cohabitation with women, crime, and theft, what is known as the point at issue is considered as established in its entirety if only a portion of the point in dispute is deposed to by the witnesses." (20).

Viramitrodaya.

In the course of an exposition of the function of the king, the Author gives illustrations of trials based on facts, as also those influenced by mistakes

Yâjñavalkya, Verse 20.

Likhitam, 'written', in the plaint &c., the written allegations made; naikam, 'many', in more than one (particular), such as, gold, gems, clothes, &c., the defendant who nihnute, 'denies', i.e., conceals

^{1,} Verse, 396.

^{2.} Yajñ. II. 19.

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the entire claim, he, ekadese, 'in one particular' such as, merely as regards gold or the like, vibhavitah, 'proved', i.e., by means of witnesses, as &c., has been completely proved to have taken, sarvam, 'the entire', claim which is the subject matter of the complaint, nrpena, 'by the king', to the plaintiff, dapyah, 'should be compelled to pay'.

This, moreover, in regard to one particular (item) of the plaint which was established, when other particulars have not been proved here as also in the case of a special agreement, that 'if even one particular is proved, I shall pay up the whole.' There, the first has connection with actual facts as may have occurred, the second is based on a subterfuge.

Aniveditah, 'not alleged in the plaint', i.e., not set out in writing before. The particle, tu, 'however', has the sense of cha, 'and'. As to the part other than the one particular in regard to which the claim is proved, such as gems, &c., although not proved should not be ordered by the king to be paid. This also is an example of a trial connected with an error. Vide the text of Kâtyâyana!: "Even when only a portion of the matter alleged has been deposed to by the witnesses, in charges of intercourse with women, heinous offence, and theft, the whole of the matter alleged shall be deemed to be proved." In cases of theft and the like, although proved in one perticular, the whole is to be paid; so the Mitâksharâ. (20).

S'ulapâņi

Yâjñavalkya, Verse 20.

One, who of the many counts in the written allegations, such as gold, silver, copper &c., denies all, he, when proved as to one particular such as gold &c. all i. e. silver &c., he must pay. If when proved as to one particular, having ascertained the plaintiff's, he says "this other also was forgotten by me", such a one not having been written down at the time of the plaint, should not be admitted, and no royal penalty (20).

It may be said "Where the defendant sets up a denial, and the denial is not confined to one of the many particulars" &c. is a Smrti text; so is also "In suits involving several counts &c." a Smrti text. Thus there being a mutual conflict between these two Smrtis, why are they not considered as unauthoritative as they are

^{1.} Verse 397.

opposed to each other? Why resort to (the rule of) adjustment¹? So the Author says:—

Yâjñavalkya, Verse 21 (1).

*PAGE 16. Where two smrtis conflict, principles of equity as determined by popular usage shall prevail.

Mitâksharâ:—Where smṛtyoh, between two smṛtis, there is mutual virodhah, conflict, there for the purpose of removing the conflict and determining the matter in issue nyâya, principles of equity, comprising general rules together with the exceptions, balavân, shall prevail, i e. (will) have force.

From where should these principles be obtained? so the Author says:—wyawaharatah iti, as determined by usage etc., obtained from general usage i. e. ancient usage as observed among the elders and as determined by the two tests of affirmation and 15 negation. Hence even in the present case establishment of the rule is the only proper test. Thus should be applied even in other cases the rule regarding the adjustment and the rule of option.

^{1.} विषयन्यवस्था see note 4 further on pp. 708-709.

^{2.} Note that here विषयव्यवस्थापनादी means विषयव्यवस्थापनाय.

^{3.} अन्त्रप्-व्यतिरेक-note these two terms, which are likely to recur often and have an important place in the rules of logic and also of interpretation. अन्तर predicates a constant and invariable concomitance of the middle term or हेतु and the major term or साध्य (हेतुसाध्ययोर्जातिरन्त्रयः) The familiar instance of this is:—यत्र यत्र धुप: तत्र तत्र वन्हि:. 'Wherever there is smoke there is fire'—the invariable co existence of fire with smoke is called in logic the relation of 'invariable Concomitance' or अन्त्रवन्याप्ति. Corresponding to and the opposite of the above is what is known as the व्यतिरेक व्यक्ति or an assertion of the concomitance of the absence of साध्य and the absence of हेतु e. g. यत्र यत्र वन्हिनीस्ति तत्र तत्र भूबोर्ज़ नास्ति "Whereever there is no fire, there is no smoke also." The student will find a fitting comparison with this in the (1) Universal A Proposition of the English Logic e. g. All x is y and the (2) converted A proposition e. g. All not-x is not-y, respectively. A cause or eg is said to be connected with its effect by अन्वयन्यतिरेक ज्याप्ति when both the affirmative and negative relations between the thing to be proved and the cause that proves can be equally asserted; such a Eq alone makes the argument perfectly sound and incapable of refutation. This process of arriving at the Vyâpti or universal proposition corresponds to the methods of agreement and difference in Mill's Logic. (Apte). The application of this in the context will be seen from the following illustration: The question is whether a particular usage is proved to exist or not. Instances of its affirmation and an entire absence of its negation or nen-enforcement would prove the custom under the अन्यव्यतिरेक texts.

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To this general rule the Author mentions an exception

Yâjñavalkya, Verse 21 (2).

The rule however is that the science of law is stronger than the science of politics.

Mitāksharâ:—The science of politics e.g. the work of Ausanasa stands already excluded by the text 'in conformity with the principles of legal An exception to the general rule. science1'; so the 'science of politics' referred to here is the one forming part of and incorporated 10 in the 'science of law' and characterised as the science of polity. In the case of a conflict, virodha, between two smrtis i. e. from the science of law and the science of politics (respectively), the science of law is stronger than the science of politics; this is the rule, sthitih (lit: position) i. e. limit. The meaning is that although in themselves there is no distinction between the science of law and the science of politics as the authors of both are of equal² (authority), still the principal subject (of treatment) being law, while politics having only a subordinate position, the science of law has force. The importance of Dharma has already been demonstrated before in the beginning of this treatise3. Therefore, in the case of a conflict between the Dharmasastra (science of law) and the Arthasastra (science of politics),

(विषयव्यवस्था) or a Vikalpa (विकल्प).

undoubtedly the Arthasastra will yield; and there is no scope for any rule of adjustment or of option for a Vishaya-vyawasthât.

^{1.} Yâjñ II. 1 p. 1. Il. 13 & 14 above.

^{2.} Or it may even be translated as, 'as both are the compositions of the same (author.)' समानकर्न्कतया।

समान-equal, or it may also mean, same. The meaning is that even if the same author lays down two texts, one in the nature of a wf text and the other an अयंत्राह्म text, still having regard to the fact that it is the अम्बाह्म which is the प्रधान or principal subject of treatment, the texts pertaining to the वर्मशास will have force.

^{3.} i. e. in the Acharadhyaya. Introductory chapter I verses 1-9.

^{4.} Note these two terms विषयवस्था and विकल्प.

विकल्प (Vikalpa) means option i. e. the rule of option. विवयस्था means an adjustment of the several subjects by appropriating each to its proper place.

What is the illustration for this (proposition)? Not certainly the text of Manu² viz.—"One may slay without An Objection. hesitation a desperado³ who approaches (with a murderous intent) whether (he be) a preceptor, a child or an aged man, or a Brâhmana deeply versed in the Vedas (351). By killing a desperado (intent on doing harm), the slayer incurs no guilt, whether (he does it) publicly or in secret; (for in such a case) fury recoils upon fury (352). Also, "One should (certainly) kill on the field of battle a desperado who approaches with an intent to kill, even though he were a special scholar of the Vedas, and thereby he does not incur the sin of a Brâhmana-killer" and similar others are the Arthas'ástra texts. "This expiation has been prescribed for unintentionally killing a Brâhmana; but for intentionally slaying a Brâhmana no atonement is ordained," and

According to Sanskrt writers if there be a direct and clear conflict between two texts, both lose their binding character, and one is left to accept either at his option. There is also another course which is resorted to and that is by assigning the affirmative (भार) and negative (अगर) clauses to their proper and appropriate places and thus removing the conflict. An example will make this clear. "A Brâhmaṇa may eat flesh." This conflicts with the general prohibition of flesh against Brâhmaṇa. Then follows the appropriation (विषयच्यवस्था) viz. "a northern Brâhmaṇa may eat flesh—a Southerner must not." The reader will note the two texts, an apparent complict between which has introduced Verse 21.

A very good instance of विकत्र and विषयव्यवस्था may be found in Yajn II. 277 "श्वावापते गर्भस्य पानने चोत्तमो दमः। उत्तमो वाऽधमो वाऽपि पुरुषस्त्रीप्रमापणे " Commenting upon this विज्ञानेश्वर says पुरुषस्य स्त्रियाश्च प्रमापणे शीलगृत्ताय निस्तिन वा व्यवस्थितो विवित्वयः। and this is further made clear by विश्वेश्वरभट्ट in the सुबोधिनी thus—शीलाचारवतः पुरुषस्य तथा स्त्रियाश्च मारणे उत्तमसाहस एवेति विकल्पव्यवस्था ज्ञेया।

It will thus be noted that either of these have a scope when there is a conflict. The Author here says that there is no room for resorting to either as there is no conflict at all.

- 1. From this clause down to p. 711. line 17 is stated the objection; or the gaqs. 2. Ch. VIII. 351.-352.
- 3. आतताचित्र This word has been translated as 'an assassin' in the Sacred Books of the East; but having regard to its wide connotation a desperado would be a proper rendering.
- 4. Note the gloss of Kullûka. यहमाद्धन्तृगतो मन्युः क्रोधाभिमानिनी देवता हन्यमानगतं क्रोधं विवर्धयति । i. e. the violence of the assailant generates and fosters the fury of the person attacked.

 5. Manu. XI. 89.

such others are *Dharmas'astra* texts; and it is proper in the case of a conflict between the two, that the *Dharmas'astra* should have force, (since), these two (kinds of) texts not being likely to be in (reference to) one subject, there would be no conflict, and the consideration of their force or weakness does not arise.

Moreover, premising with the text1 viz. "the twice-born may take up arms where the law is being flouted &c." and proceeding with the text2 "in their own defence and in the defence of the dakshina. in a battle-field, and in the protection of women and Brahmanas; he who kills within the limits laid down by law, incurs no guilt." one is not amenable to the punishment for slaying in a fair fight an 15 assailant as also one who is intent upon killing women or Brahmanas (while engaged) in self-defence or in the defence of the dakshināwealth collected for distribution among the Brâhmanas assembled at a sacrifice—and (other) utensils used for a sacrifice, the text viz. one may etc. a preceptor, or a child or an aged man³ etc. has been given as an explanatory affirmation of the same. Implying thereby that one may kill even the preceptor and others who are absolutely immune. from being killed, when they attack with a murderous intent. what then of others? From the use of the words $w\hat{a}^6$ (or), and also 20 of api (even) in (the text) "even though he were a special scholar of the Vedas' &c." the inference is not (intended to be) suggested that the preceptor and others should be killed, as also from the text of Sumantu viz. "There is no guilt in killing an assailant (with a murderous intent) excepting (when it is) a cow or a Brâhmana." and 25also according to the text of Manu⁸ viz. "Let him not injure the preceptor, nor him who expounds the Vedas, nor the mother or the father; nor also the Brâhmanas, cows nor an ascetic." This text is used with a purpose (lit. meaning), inasmuch as it is intended to prohibit the killing of the preceptor and others (when they approach) 30 as assassins, and not otherwise, as the prohibition of murder in

^{1.} Manu. VIII. 349.

^{2.} Manu. VIII. 350.

^{3.} Manu. VIII. 351.

^{4.} अर्थवातम् .

^{5.} i. e. Chap. VIII. 349-350.

^{6.} In Manu. VIII. 350 (See above).

^{7.} See above p. 709 1, 5

^{8.} Ch. IV. 163. 164 11 11 12 12 12 12 12

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general is already deducible from the general principles (of law). Even the text1 "by killing a desperado the slayer incurs no guilt" is intended to apply to others than Brahmanas. Since, (by the text) "an incendiary, a prisoner, one armed with a deadly weapon, a robber and one who causes the deprivation of land, wife, and wealth, these six are (known Âtatâyinas) desperados or felons" and also "one who is armed with a sword, poison, and fire, who is ready to utter a curse with hand uplifted, who kills by means of A'tharvana charms, who is a traitor to the King, who violates a married woman, who is ever ready to prick a hole (whereever found) one should know these and all such others as desperados or felons (Atatâyinah)," the Atatâyins have been indicated generally. Therefore the result is that when Bráhmanas and also others are killed as assailants by inadvertance while being warded off by one acting in self-defence and having no intent to murder, in such a case a light expiation will be (sufficient) and no punishment from the King (will be necessary). Therefore another illustration should be cited here.

(To the above objection) the answer is: "As acquisition of a friend is superior to the acquisitions of gold or * PAGE 17 land, so one should endeavour for his acquisition' is an Arthas astra text. "In conformity with An Answer the principles of legal science, and divested of anger and avarice" is a Dharmas astra text. There occurs a conflict of these two in some cases. As e. g. in a suit where the procedure is of a fourfold character; if success is secured to one party, acquisition of a friend would be made, but the Dharmas'astra would not be followed; while if success is secured to another party, the Dharmas' astra would be followed; but (it) would prejudice the acquisition of a friend, in such a case the Dharmas'astra has more force than Arthasastra. Hence A pastamba has shown the importance of expiation in the text2. This very same (penance is ordained) for him who when his Dharma (duty) and Artha (gain) come into conflict, chooses the Artha." By the expression "This very same" the twelve years' expiation is intended.

^{1.} Manu, VIII, 352.

^{2. 1. 9. 24, 20}

^{3.} See Apastamba I. 9, 24, 20.

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Viramitrodaya ...

Indeed, when there is a conflict between two S'astra texts, how is a suit based on facts to be disposed of? So the Author says

Yâjñavalkya, Verse 21.

Vyavaharato, 'as determined by usage', in the matter of a point in a law-suit, Smṛtyoh, 'between two Smṛtis', i.e., two texts of Dharma s'astra, when there is a mutual 'conflict' virodhe, tu, 'indeed', nyâyah, 'principles of equity', i.e., the principles of logic helpful in effecting an adjustment of the points at issue, balavân, 'shall prevail', i.e., shall determine. In short, whichever Smṛti is adjustable in a particular topic according to logical principles in that matter, that Smṛti is authoritative. By the word tu, 'however', has been excluded the power of 'Smṛti, when in conflict with S'ruti. As has been said': "When there is a conflict between a S'ruti text and a Smṛti text, S'ruti alone preponderates. On a conflict mutually inter se, however, what is in accordance with equity is authoritative."

The use of the word Smrtyoh, 'between two Smrtis', is indicative of the texts of the same category. Therefore it should be understood that where between two S'ruti texts only or two Artha śastra texts only there is a mutual difference, principles of logical reason are decisive.

By the use of the word tu, a second time, are excluded the Puranas. By this, when compared with the Puranas, the Dharma-Sastra incorporating the Smrtis is not (more) powerful. On the other hand, as with two Smrtis, when there is a conflit mutually between a Smrti text and a Purana text, the greater or less power or weakness is determined by regard to the principles of logic, which are helpful in securing the subject of the plaint. (21).

S'ulapâņi

Yajnyavalkya, Verse 21.

When a conflict arises between two Dharma Sastra texts, the suit should be decided by following the maxim of "the general rule and the exception," Thus: "He who enjoyes without a lawful title, as by his father and three prior ancestors, the property cannot be taken away from him because it has descended through three lines of ancestors," and "He who enjoyes without title for ever so many hundred years, the ruler

^{1.} See Nârada Ch. I, 91.

^{2.} Narada Ch. I, 87.

of the land should inflict on that sinful man the punishment ordained for a thief", of these two texts, one of *Dharmaśāstra*, and another of *Arthaśāstra*, when there is a conflict, the *Dharmaśāstra* text propounding proprietorship by a successive enjoyment for three generations (although) without a title, has force. It is in conflict with the *Dharmaśāstra* text laying down a punishment for possession without title eventhough for one hundred years. So Nārada¹: "Where there is a conflict between a *Dharmaśástra* text and an *Arthaśāstra* text, giving up the *Arthaśāstrâ* text, one should act up to what is stated in the *Dharmaśástra*". (21)

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It has been said above² that "Next, the plaintiff should immediately have written down the evidence by means of which the matter in dispute is to be established". What are those means? anticipating this the Author says:—

Yâjñavalkya, Verse 22.

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Evidence has been stated to consist of a writing, possession, and withesses. In the absence of any of these, the ordeal is said to be another (means of evidence).

Mitâkṣharâ:—That by (means of) which a thing is measured or discriminated is pramâṇa, evidence. That, moreover, is twofold, viz. human and divine. Of these mânavam, human evidence is (of a) threefold (character) viz. likhitam, bhuktiḥ, sâkṣhinaḥ. writing, possession and witnesses; so it has been laid down, kirtitam, by learned sages. Then (again), writings are of two kinds. A S'âsana, royal grant, and Chîrakam, a scroll or deed, A Royal grant has been defined before. A scroll or deed (is as) will be defined (hereafter). Bhuktiḥ, possession, means enjoyment by (actual) occupation. Sâkshiṇaḥ, witnesses, i. e., of the character and kinds to be described hereafter.

î Oh. 39.

^{2.} Yajñ. I!-7 (English Tr. p 672. lines 14-16 above).

^{3.} Yajñ. I. 318. p. 530.

^{4.} Yšjñ. II. 84.

^{5.} i. e. in Section V. "Of the Witnesses,"

It may be said that a writing and witnesses may properly be accepted as) evidence as they may be included. The four kinds in the sabda mode of proof (Pramana), as they of evidence. serve as a medium i. e. of expressing (the meaning of) words.2 But how can possession be 5. a mode of proof? To that the answer is that even possession when satisfying certain (specified) conditions will invariably and correctly measure the probative value of the sale and other transactions which are (set up as) the basis of ownership, and assist an inference (to be drawn), or in the absence of a direct inference, a conclusion may be drawn by implication, and thus it (i. e. possession) may be included either in an inference (Anumana) or an implication (Arthâpatti) and be a (good) means of proof.

sho In the absence of any of all these three (modes of proof) viz: 15 writing &c., the author has mentioned3 the evidentiary value of any of the ordeals, the character and kinds of which will presently be described, subject to the conditions as to the kind, country, time and the (particular) thing. That ordeals are (to be accepted as) a mode of proof only in the absence of human evidence is inferable from this very text, as the nature and conclusiveness of ordeals are derived from traditional lore, i.e., Agama-Texts. Hence where two persons simultaneously go to an officer of law in reference to a matter in dispute between them, and one adduces human evidence, while the other resorts to the divine test, in such a case the human evidence alone should be accepted. To the same effect is Kâtyâyana4:—"If one (party) sets up human evidence and the other resorts to the divine test, in such a case the King should accept the human evidence and not the divine test". Even so where human evidence is available for establishing (only) a portion of the principal point (at issue), even there the divine test should not be resorted to. Thus, in a suit where the complaint is that 'having received a hundred at this rate, the defendant does not pay it back ' and npon a denial (of the claim by the defendant) there

^{1.} One of the several Pramāṇās. The Naiyāyiks recognise only four viz. प्रयक्ष, अनुमान, उपमान and ज्ञान्त. The Vedantins and the Mimamsakas add two more viz. अनुपलन्ति and अर्थापनि, while the Sankhyas admit only three viz. पत्यक्ष, अनुमान and शाब्द. 200 g 90 J 3 T 3

^{2.} शद्वाभिन्यक्तिः = शब्दस्य अभिन्यक्तिः &०.

^{3.} i. e. in the principal verse of Yajñavalkya. 4. Verse, 218,

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are witnesses for (establishing) the acceptance of the loan, but not for the (particular) amount or the rate of interest, and the plaintiff offers to prove his case by an ordeal, in such a case, inasmuch as under the rule1 (of procedure), viz., 'regarding proof of a particular portion only,' the particular proof about the amount and rate of interest follows (by implication), there is no scope for an ordeal. been observed by Kâtyâyana2:—" Even if the human evidence offered by the contending parties cover only a portion of the subjectmatter, it should be accepted, and not the divine test even if it (i.e., the divine test) be sufficient to cover the whole suit." As for the rule.—" The trial of secret offenders must (necessarily) be by means of ordeals", even this (test) is intended to govern those cases where human testimony is unavailable. As to what has been said by Nârada³ viz. "(Where a transaction has taken place) in a forest, in a solitary place,4 at night, or in the interior of a house, and in cases of heinous offences or of denial of a deposit, a divine test is permissible"; even that is (applicable) when human evidence is absolutely impossible (to be adduced). Therefore the general rule (that naturally follows) is that a trial by ordeal is allowable only where human evidence does not exist.

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An exception to this, however, has to be noticed⁵ viz. "In trials concerning heinous offences of a long⁶ standing or in the case of assaults or slander or concerning acts proceeding from violence, the ordeal itself are the witnesses."

Moreover a similar rule is found in some places about a writing, etc. As in 'determining rules laid down for pûgas,7 the S'renis, and Ganas and other trades, the evidence (to be adduced) is

^{1.} एकदेशाविभावितन्याय: also called एकदेशविकृतिन्याय: as e. g. श्राकर्णे पुच्छे वा छिन्ने श्रेय मवित नाश्चा न गईभ: इति। See the महाभाष्य on the Sutra स्थानिवदादेशोऽनिहनद्यो 1. 1. 56 Cf. the rule of 'Part for the whole' 2. Verse 219. 3. II. 30.

^{4.} Dr. Jolly takes निर्जन as an adjective of अरण्य and translates "in a solitary forest", but see the gloss of Asahâya on this:—"अरण्ये वनमध्ये पत्तने वा निर्जनपद्देशे।"

5. Kâtyāna, Verse 229.

^{6.} Or it may also be interpreted as 'in protracted proceedings, in trials of heinous offences &c. the प्रकारनगर and साहस्तान being taken separately. Cited as of Brhaspati in V. Mayuakha see. p.11, l. 14.

^{7.} पूर् and अणी, See Yâjñ. II. 30 and Mitâksharâ where Vijñâneśwara thus defines.—पूरा:-समूहा: । भिन्नजातीनां भिन्नवृत्तीनामेकस्थानिनवासिनां संवाताः । and अणयो—नताजातीनामेकजातीनामध्येकजातिकमार्पजीविनां संवाताः ।

writing and not an ordeal or witnesses¹." Similarly²—'In suits regarding the right of door or way, or the right of erecting or making these, as also in suits regarding the enjoyment of a surface or watercourse, the most important (means of) proof is that of possession; and neither an ordeal nor the witnesses.' So also³ "In suits regarding valid and invalid gifts, in disputes between a master and his servants, in cases of rescission of (the contract of) sale, and also where after purchasing a thing one does not wish to pay the price, in disputes (arising out) of gambling (with dice) and betting (with animals), wherever a dispute arises in any of these cases, witnesses have been prescribed as the means of proof, and not an ordeal or a writing."

Viramitrodaya

As if distributing the relative strength or weakness of human and divine evidence as means of proof, the Author proceeds

Yâjñavalkya, Verse 22.

Likhitam, 'a document', i.e. a writing capable of helping the determination of the point in dispute; bhuktih, 'possession', i.e., the occupation of the village, &c., the subject-matter of the dispute; sakshino, 'witnesses', as the Author will describe hereafter.

By the use of the word cha, 'and' the Author adds the syllogistic reasoning otherwise known as $Praty\hat{a}kalita$ as another means (of a decision). Thus fourfold means of human evidence 'has been laid down', uchyate, by scholars, and recommended to be followed. The afore said cha, follows here also; thereby the oaths are other-worldly means but distinguishable from ordeals as stated by Nârada⁴ is added here also. (22).

S'ûlapâni.

Yâjñavalkya, Verse 22.

These three means of proof, in cases of recovery of debts and like others, in the absence of documents &c. of the nine ordeals such as the Balance and the rest, any one is (regarded as) the means. Their strength and weakness are stated by Kâtyâyana: "Divine means of proof is not permitted, when witnesses exist; so also when there is a document, neither ordeals or oaths".

^{1.} Kātyāyana, Verse 225.

^{2.} Kâtyâyana, Verse 226.

^{3. ,, ,, 227, 228,}

^{4,} See Ch. I. 30 and Ch. II. 30.

^{5.} Verse 223.

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As possession is determined in the form of an inference, the use of possession is characterised as inferential. So even Brhaspati¹, "Witnesses, documents, and inference, thus human evidence is regarded as three-fold. Divine evidence has been stated to be nine-fold beginning with the Balance and ending with Dharma. But the mention of possession is indicative of greater force than document". (22).

When there is evidence on both sides, and when there exist no circumstances which would help in discriminating the strength or infirmity of either, (a question might arise) how should the strength of several proofs adduced by the plaintiff and defendant be determined? So the Author says

Yâjñavalkya, Verse 23 (1).

In all² civil disputes regarding property, evidence adduced in support of a later transaction preponderates.

Mitâksharā:—In disputes for payment of debts, and others in all civil disputes, sarveshu arthaviwâdeshu, later transanction, uttarâ kṛiyâ—that which is established is a Kṛiya, i.e., investigation or proof. When the evidence in support of a later transaction is established, and it preponderates, balavati, the party setting it up becomes successful; and (in such a case) even if the allegation in the plaint be established, the party setting it up is defeated. As e.g. where a certain person establishes a loan by proving receipt, while the other party proves its non-existence by repayment, in such a case where the receipt and payment back are (duly) established by (proper) evidence, this (evidence of) payment back has force and the party who sets up repayment succeeds. Similarly, where after first taking (a loan) at two per cent. a party acknowledged

^{1.} Ch. V. 18.

^{2.} अर्थविवाद—This has been rendered by Mr. Mandlik as 'money-disputes.' Having regard, however, to the proper meaning and scope of the expression here, it would not be an accurate translation. An अर्थविवाद is a dispute regarding title to or possession of property and the property may be moveable or immoveable. This has been made clear by the author himself in his gloss on Yâjñ. Verse (2) see. Sanskrit p. 11 1. 5. सर्वेडवर्गविवादेषु, मन्युक्ततेषु'. An अर्थविवाद in used in opposition to a साहसाभियोग, मन्युक्ताभियोग or any such suits the origin of which is in some threat or similar act and not in a substantive claim to property.

(to pay) at three per cent, in such a case even when there is (good) evidence for both the facts, the acknowledgment at three per cent. has force. Because the general rule is that of two contradictory facts unless the prior fact is refuted, the truth of the later one does not become established, as it comes later (in order). It has also been said "a later fact is not established, unless the prior one is refuted."

The Author mentions an exception to this (rule) Yâjñavalkya, Verse 23 (2).

In the case of a pledge, a gift, and a sale, however, evidence in support of the prior claim preponderates.

Mitâksharâ:—In (any of) the three suits concerning a pledge and others, proof of a prior claim alone preponderates. It is thus: when a man after mortgaging his only field with one, and after obtaining some loan, again mortgages it with another and obtains something, in such a case, it (i. e. the field) belongs to the first only and not to the second. So also in the case of gifts and sales.

It may be urged that there being no ownership (left) in the subject-matter of a mortgage, thereafter a second An Objection. hypothecation does not appear permissible; similarly, also the gift or sale of what has been (already) given or sold does not arise at all; and therefore that this text is (thus) meaningless.

To this the answer is, even when no ownership exists, and still when from ignorance or avarice

The Answer. one has a mortgage made again (over the same subject-matter), in such a case the prior transaction alone has force. Thus it is proved beyond doubt that this text is based on reason.

agad-pendir and illeral Viramitrodaya.

By the text : 'When the first claim is invalidated, &c.', it has been stated that when the answer has greater potentiality, the evidence for the defendant is taken. There the potentiality of the answer consists in the greater strength of the evidence as exhibited in the answer, so the Author points out the (element of) strength in the evidence.

^{1.} Yájn. II. 17. See p. 696 ll. 18-20 above.

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Yajnavalkya Verse 23.

Sarveshu, 'in all', vivadeshu, 'in disputes', where the subject matter is the recovery of a debt, of the evidence on the two sides, i.e., of the plaintiff and the defendant, set out by them each as the means of securing their points, between the two, that which is of a later period, has greater strength. Thus, where the statement of one is, 'a debt has been taken from me by him and he owes it', and the statement by the other is, 'Yes, indeed was taken, but it was paid off', there the evidence in support of repayment has a greater claim. Similarly, when the first loan was contracted under an agreement of a Kâkini' as the rate of interest, but later on at the rate of a Pana, and that has been by some arrangement, in such a case, evidence in proof of the later arrangement has a greater claim. And thus, where money deposited with one has been deposited with another, there it should be understood that the bailment with the latter has greater force.

The word eva, 'however', is to be used as coming after the word uttart, 'later'. Thereby, an equality of force of the prior one with it has been excluded. Similarly is the word eva in purvaiva, 'prior only', is to be explained. In some places, in the place of 'in all civil, &c.', the reading is, 'prior in civil, &c.', purva tu iti.

Here, the Author states an exception; A'dhau, 'in the case of a pledge', i.e., in a transaction of pledge, pratigrahe, 'in the case of a gift', and in the case of a sale also, the prior one of the same kind in each case has a claim in preponderance. The similarity, moreover, consists in the prohibition to dispose of at will, and the destruction of one's ownership. Thus where after a mortgage with one, a mortgage is effected with another, there, the first mortgage is stronger; also, where after an acceptance or purchase by one, another has resorted to acceptance &c. as a means for (acquiring) ownership, there the first acceptance, &c., is more forceful. This is the meaning in substance.

As against a mortgage, a transaction of acceptance as a gift, and the like, being destructive of the right of ownership, whether of a prior or pasterior date is indeed stronger. Thus it should be understood that by regard to its being not obstructive of the free right of disposal by the owner as he likes, whether of a prior date or of a posterior date, a mortgage which is obstructive of the free right of disposal by the owner

^{1.} A quarter of a Pana.

^{2.} In a transaction of a pledge, the freedom of disposal of the object of the pledge which remained with the owner before is restrained, and the right of ownership becomes extinct in the other two transactions.

according as he likes is more powerful. This very thing, says, Nârada in Ratnâkara: "Having made a deposit with a mortgage with another, where one makes a mortgage, or sale there, the later transaction is more powerful." (23).

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S'ulapâni.

Yajñavalkya, Verse 23

'In all,' i. e. such as the recovery of debts and the like, the later transaction i. e. acceptance of loan &c. is stronger i. e. is entitled to be pursued. One and the same thing, was deposited with one under a loan and taking it from there, it was deposited under a loan with another, there, proof of the later transaction preponderates. In the case of pledges etc. however the prior one is stronger. That which is accepted as a gift is an acceptance (23).

While wishing to establish the evidentiary value of possession when accompanied by certain qualifying circumstances, the Author proceeds to mention other results which flow from a certain kind of possession

Yâjñavalkya, Verse 24.

Of him who while he sees his land being enjoyed by another (for twenty years) looks on and does not object, the loss of (the right to) land occurs after twenty years; of money (the loss takes place) after ten years (under similar circumstances).

Mitâksharâ:—Parena, 'by another', i.e. by a stranger, by one having no connection (whatsoever); bhujyamânâm, being enjoyed, i.e. either land or wealth; pasyatah abruwatah, of one who looks on and does not object,' i.e., does not prevent him; e.g. thus—"This is my land; you should not trespass"; of that bhumervimsativârshiki, of land (thus continuing) for twenty years, hânirbhavati, occurs a loss, caused by the enjoyment for twenty years without protest. Dhanasya, of wealth, however, (i.e. moveables) such as the elephant, horse etc. the loss occurs das'awârshiki, after ten years.

Indeed this is not proper: Certainly ownership does not become extinct on account of non-protest, (1) Objection. non-protest not being known either in popular usage or in S'astra as a cause of extinguishing ownership, (just) as a gift or a sale is. Nor is ownership acquired by possession for twenty years; because possession is not the (means of) proof of ownership; also because (of the rule that) evidence (pramana) does not create the matter to be established (prameya)1 it (i.e. the pramana,) has also not been mentioned among the circumstances giving rise to a title by ownership. For (in the text) "A man becomes owner by inheritance, purchase, partition, seizure or finding. The additional (mode of acquisition) in the case of a Brâhmana, is gift; in the case of a Kshatriya gains of conquest, and in the case of a Vais'ya and S'ûdra gains (by labour)", Gautama² only mentions these eight as the sources of title by ownership, (he does) not (mention) possession.

Nor would it be correct to say that this very text demonstrates a twenty years' possession as an originating * Page 19. cause of ownership. A title by ownership or (2) Objection. its origin are indicated (even) by general popular 20 repute, and not (necessarily) by the S'âstra alone. This, however, will be more fully dealt with in the chapter on Partition. The text of Gautama is only intended as (laying down) a rule of limitation.

Moreover, the text³ viz. "He who enjoys without a title for ever so many hundred years, the ruler of the (3) Objection. land should inflict on that sinful man the punishment ordained for a thief." is opposed

^{1.} प्रमुख (Prameya) is that which is to be established; 'the point at issue.' प्रमुख (Praména) is the means of establishing the point at issue. The meaning in the text is that a praména or evidence can only indicate or prove something which is already in existence; it cannot create it; i. e. a praména cannot be the 'originating cause' of a prameya. अञ्चलाङ्करवात्।

^{2.} X. 38-40.

^{3.} See Subodhini, p. 13. 1 12. and Balambhatti p. 31. 11 26-28. on this.

^{4.} Bâlambhatta and others ascribe this text to Manu. It is not to be found in the editions of Manu. It is, however, found in the Nârada Smrti. I. 87.

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possession without title is the source to the theory that Nor also would it of ownership. be proper that the text "He who enjoys without a title &c." is meant to apply to a possession without notice (to the owner), and the text "Pas's yatobruvatah" &c." to possession with notice (to the owner). The text "he who enjoys without a title" being general in its statement. As Kâtyâyana² also has said: "One who has forcibly taken away beasts, women, or men should not rest his case on possession (of these) nor his son also"; the rule has thus been established, that moreover an extinction of title is not possible in case of a possession with notice as it is improbable that any cause of an extinction of title would (be suffered to) exist.3

Moreover, it should not be supposed that inasmuch as the evidence in support of prior acts preponderates in cases of pledges, gifts, and sales, this (i. e. the present) text is intended to lay down by 15 way of an exception the preponderance of the evidence of transactions later in date amounting to twenty years' possession in case of land. and ten years' possession in case of wealth (or moveables). Since in the case of these in reality a transaction itself is not possible, it is only (that which is) one's own (property) that is fit to be pledged. 20 given away, or sold; and there can be no ownership over what has been pledged, given away, or sold. Moreover a penalty has been laid down for a gift and acceptance of that over which he (i. e. the giver) does not possess ownership, thus4: "He who accepts (as a gift) that which may not be given, as also he who gives it shall both be punished like thieves, and both made to pay the fine ordained for an offence of the highest degree (Uttama-Sâhasa)." Moreover if this verse were to be (accepted as) an exception to [the rule regarding the three

^{1.} i. e. Yâjñ. II. 24. 2. Verse, 316.

^{3.} The construction here is rather peculiar. The clause समझागि etc. in 1. 8. is to be taken as part of the objection already commenced and not as a separate objection. The construction here is typically terse— भिनाशरा. The meaning would be fully brought out by the following complete statement of the component parts in their order:—समझागे हानरसंभवः। हानिकारणाभावात्। An extinction of title is not probable in the case of a possession with notice; because no one would allow any circumtance to exist or continue which would in the end lead to an extinction of title.

4. See Nârada Ch. IV, 12,

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(transactions) viz. pledges etc.] the verse next following (i. e. No. 25) does not appear proper as an exception in the cases of pledges, boundaries etc. Therefore the extinction of (title to) land etc. does not appropriately follow at all. Nor is the cause of action lost. For in the text :-- "Of him who neglects and stands by if a period as 5 aforesaid is passed, the suit does not succeed," Narada has. mentioned the extinction of a remedy at law when there is laches and such laches is not accompanied by circumstances explaining it: he does not lay down the extinction of the right (itself). Similarly in the text "If the owner is neither an idiot nor a minor and if his 10 chattel is enjoyed (by another) before his eyes, the remedy by a suit is lost to him and the (adverse) possessor becomes entitled to the property." even Manu² has indicated the loss of remedy only at law and not of the title itself. The loss of the remedy at law would be in this way. The person in possession might say-"This man not 15 being either an idiot, an infant or a minor, I have enjoyed (the property) in his presence without a protest for twenty years and there are several witnesses in (support of) this. If it was (a fact) that I was illegally in possession of his property, then why should he have stood by for so long a time?" and here the (true) owner would have 20 This even although he would have no answer as no answer. (indicated) above, an investigation on facts is still open—vide the rule:3 "After discarding all circumvention, the King should decide disputes according to actual facts'.

It may also be said: "Even though the title is not extinguished, nor (also) is the remedy lost, still there would be the danger of the loss of remedy, and in order to avoid this it has been laid down as an advice that one should not stand by. (To this) however (the answer is that) it is not so; for, possession (which is) within memory cannot be a cause of creating any apprehension as to the loss (of title); (and moreover) if the only object was to lay down the rule that (one) should not stand by, the use of the term twenty would be without a purpose.

^{1.} Mark the following text of Narada distinguishing नाल, पौगंड, and निश्च गर्भस्थसहशो ज्ञेय आऽष्टमाद्दत्सराशिश्चः। नाल आगोडशाद्दर्शत्मीगण्ड इति शस्यते॥ १-३६;

^{2.} Ch. VIII. 148.

^{3.} Yâjn. II. 19 Page 700. ll. 10-14 above.

It may next be said that by the use of the word twenty, it is intended to lay down the rule that possession for more than twenty years (in itself) serves as a refutation of all objections regarding the defects or flaws in the document, as says Kâtyâyana1; "Where possession is enjoyed of property belonging to one who is competent, 5 for (a period of) over twenty years and under a document, that document is (presumed to be) free from (all) defects." Even that is not so; for in that case the rule that after twenty years all objections regarding flaws in a document become barred, having a general application, it would not be possible to set up an exception even in the case of pledges etc.2 As says Kâtyâyana3: "If a pledge is actually enjoyed as such for twenty years, it (i. e. the pledge) is proved by that document (which then becomes) free from all (objections as to) defects." So also4, "After a boundary dispute is settled, a document describing the boundaries has been ordained: its defects should be pointed out before twenty years (have elapsed)." By this, the text, viz. "(the loss) of money takes place after ten years' is also refuted. Therefore another meaning should be expounded for this verse.5

To this the answer is: Here the loss intended to be indicated is that of the profits (or accession) of the land as

The Answer. well as of the wealth, not of the corpus itself, nor

* Page 20. of the right of a suit at law. For, even if at law the owner gets (back) the land after twenty

years' possession without protest (by him), still he does not get a right to follow the proceeds, both on account of his own fault in the form of non-protest, as also on account of this text. In the case of a possession without notice, however, he (i.e. the owner) secures

^{1.} Verse, 299.

^{2.} i. e. to say, and thereby the text of Yājñavalkya II. 25 would be meaningless.

^{3.} Verse, 300. 4. Verse, 301.

^{5.} Here ends the objection which began with the words " नन्येतद्द्रपणन्तम् " on page 721, 1. 1. above.

^{6.} Vijñâneswara draws the following तिद्ञात after the above discussion. The reader will note this as a very good instance of a तिद्ञात of the Sanskrt logic. Vijñâneswara first gives a literal meaning of the verse at p. 18 ll. 25-27. Then he starts a discussion from p. 18 l. 28 and draws the conclusion or तिद्ञात on p. 20, ll, 15.

the right to follow the proceeds also, under the text, Pas'yato &c. (Yajñ. II. 24), and also in possession with notice and protest, under the text, Abruvatah &c. (see above p. 720. l. 19-23), before twenty years, he succeeds (even) when there is possession without protest, as the term twenty is used.

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It may be objected, thus: Indeed, in that case loss of profits1 would not follow, inasmuch as the profits arising therefrom possess (the characteristics of) ownership. (To this the answer is), True: it would be so where the accession would remain in the same condition without detriment to its natural state as is the case with beetle and jack fruit trees &c.2 That, moreover, which arises (as profit) from the land and is perishable by use; in such a case there is loss of ownership as the thing itself has perished. By the text3: "He who enjoys without a title even if it is for many hundred years, the ruler of the land should inflict on that sinful man the punishment ordained for a thief, "it would follow that assessing in (terms of) an equal money value an amount equal (to the profits) should be made payable as (is done) in the case of a thief; but this conclusion is refuted by the text, "a loss takes place after twenty years." Moreover the punishment from the king still exists even (when the enjoyment is) for more than twenty years on account of a double

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^{1.} Mark the word $\varphi z \in Phala$). Its literal meaning is fruit. Here it has to be variously rendered as fruit, profits, proceeds, and accession according as suits the context in each particular case. c/o Fructus of the Roman Law.

^{2.} The meaning is that such accessions as remain unaffected even when the fruits have been romoved would not fall under the term कर in the sense that the right regarding कर would be lost. In other words, where the accession is itself the कर as in the case of crops, groundnuts &c. there is no third stage between the land and the fruit and in each case there would occur the करहान. But where the fruits or profits are distinct from and a further addition to things which in themselves are accessions to the land, such things have a permanence of their own and are to be distinguished from the fruits which are perishable and are of a transitory character. Accessions of the former kind do stand without any detriment to their state e. g. mango-tree, though the fruits are taken away the tree, which in itself is distinct from and an accession to the lands, stands unaffected.

^{3.} Nârada, I. 87.

reason viz. the possession being without title, and there being no exception stated (to the general rule).

Therefore by reason of the default of the owner in the shape of neglect or laches as also on account of this text, the rule is established that those proceeds are not recovered as are lost for more than twenty years. This also explains the text—"in the case of wealth the loss takes place after ten years." (24).

S'ulapâņi.

Yâjñavalkya, Verse 24.

By not raising a dispute when (land) is in the possession of another and with good will is being enjoyed by him, after twenty years the right of ownership becomes lost. That which is covered by twenty years' is twenty years' (possession). Vyâsa states a special rule: "For twenty years, one whose land is enjoyed by others in this world, when a competent ruler exists, the right of ownership of that man cannot be established".

Dhanasya, 'of the wealth' such as of the cow &c., daśavāṛshiki hâniḥ 'the loss occurs after ten years'. Manu': "Whatever (chattel) an owner sees enjoyed by others during ten years, while, though present, he says nothing, that (chattel) he shall not recover". (24).

Yâjñavalkya Verse 25.

Except in the case of pledges, boundaries, open deposits, wealth belonging to the dull in intellect, the minor, as also in the case of sealed deposits and even in the case of wealth belonging to the kings, women and Brâhmanâs.

Mitâksharâ:—The pledge and a boundary and an open deposit (together make up the compound expression) 'pledges, boundaries and open deposits'; the dull in intellect and the minor (together make up the compound) 'the dull in intellect and the minor,' Their wealth (is) "the wealth of the dull in intellect and the minor", "pledges, boundaries and open deposits" and "the wealth of the dull in intellect and the minor" (make up the compound expression) âdhisimopanikshepa-jadabâla-dhanâni,

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^{1.} Ch. VIII. 148.

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pledges, boundaries, open deposits and the wealth of the dull in intellect and the minor; tairvinâ, excepting these.

Upanikshepo, an open deposit, is wealth placed for safe custody in another's hand after exhibiting the quality and the quantity. As says Narada¹: "Where a man entrusts any property of his own to another in confidence and without suspicion, it is called by the learned a deposit—a (separate) title of law." Placing near is (called) upanidhih, deposit.

In the case of a pledge &c. no loss (of title) occurs of land even after twenty years, or of wealth after ten years, even when the owner looks on and does not protest; because (in that case) that kind of default of a party is wanting, and also inasmuch as in each such case exist circumstances which explain the (apparent) delay.

Moreover the possession of a pledge is held with the condition of the pledge attached to it, and thus there is no default by a party even if there is delay. A delay is permissible in the case of (disputes regarding) boundary as it is easy of proof on account of the marks made permanent by (the spreading of) husk, fire etc. In the case of open and ordinary deposits, use and enjoyment (of the subject-matter) is prohibited; and where such possession is in transgression of the prohibition, the neglect or delay is explained as the party gets the property with interest and profits; in the case of the 'dull in intellect and the minors,' delay is very justifiable on account of the dullness and the minority; in the case of the king, on account of his absorption in various duties; in the case of women, on account of ignorance as well as immaturity (of intellect) or unskilfulness. As for a learned Brâhmana delay is proper, as he is engrossed in studying

^{1.} Ch. II. V. I.

^{2.} That kind of default तथाविषस्य i.e. of the kind which would bring about a loss of title.

^{3.} i.e. even if the suit is not brought within the period ordinarily assigned for suits, of that nature. Figure means-not bringing an action—laches.

^{4. 34—(}tusha) is the husk of paddy. It, among other things, is interred into a pit dug deep and covered over by the earth. The marks created in this way acquire a permanence which is not lost and serve as good evidence in deciding boundary disputes; see further on Yâjñ's II, 151 Vijūāneśvar's comments.

and teaching (the Vedas), and in thinking over their import and bringing it into practice.

Therefore in the case of pledges etc., there being a (proper) reason for (explaining) delay in all cases, no loss of profits ever occurs (even) when there is possession with notice and without protest.

Viramitrodaya.

Means of evidence have been state 1, such as documents, &c. There inferential evidence has been expounded; that consisting of witnesses will be stated later on; and in the manner of the rule 1 of the needle and the kettle 2, the Author expounds possession as a means of evidence, in six verses

Yájñavalkya Verses, 24, 25

Without a mortgage or a similar other transaction in regard to one's own, even while one is looking on, and not asserting that 'this land is mine' and thus not protesting against the possessor of one's land, being occupied 'by another,' parena, i. e. by one other than oneself, 'for a period of twenty years,' vinsativarshiki, i. e. by a continuous possession, the loss occurs.

Of one's i.e. of one's ownership of the movables such as the cow &c., which is held in possession, the loss occurs after ten years. This is the special point (of difference), Hânih, 'loss' i.e. destruction. (24).

Adhih, 'pledge' i.e. an encumbrance; sîmâ, 'boundary,' i.e. the boundary of a village &c.; upanikshepah, 'an open deposit,' i.e. an article made over to another after ascertaining its quality &c., jadasya, 'of the dull in intellect,' bâlasya, 'of a minor,' or of an adolescent below sixteen years in age; dhanam, 'property,' such as the cow, land &c.

Upnidheh, 'of a deposit,' i.e. of property placed in a vessel without being measured out; and the properties relating to the king, a woman, and a learned man. By the use of the word, api, 'also,' the Author includes properties mentioned by Brhaspati³ viz.: "Such

^{1.} सुचीकटाइन्याय—'The maxim of the needle and the kettle'. It is used to denote, that when two things, one easy and another difficult, are intended to be done that which is easier should be first attended to, as when one has to prepare a needle and a kettle, one should take up the needle first, as it is easier as compared with the preparation of a kettle.

^{2.} Oh. IX. 12.

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wealth as is possessed by a son-in-law, a learned Brahmana, or by the king or his ministers, does not become their property as owners, even after a long period of time." (25).

S'ûlapâni.

Yajñavalkya, Verse 25.

Upanikshepah, 'a deposit', placed in a vessel, without mentioning (the details) and with a seal, what is deposited, thus stated by Narada!. Jadah, 'a dullard', one dull in intellect; bâlah, 'a minor', i.e. one who has not reached the age of sixteen; upanidhih, 'a bailment', what is made over for use out of affection, striyah, 'women' e. g. female servants and the like. Excepting these, in other properties, after the prescribed period of occupation, the right of the owner becomes extinct. These do not become the property of the person is possession.

Brhaspati² mentions another rule also: "Such wealth as is possessed by a son-in-law, a learned Brāhmana, or by the king or his ministers, does not become their property even after a long period of time". "Of the weak, indolent, those afflicted with a disease, the terrified and the travellers, property which belongs to them under a sasana grant, cannot be taken away by possession, even if possessed". Sasanārudha, 'entered in a sūsana grant' i. e. engrossed on a copper plate or the like. (25).

The Author mentions a rule imposing special penalty in cases of pledges &c.

Yâjñavalkya, Verse 26.

A trespasser upon pledges etc. should be made to pay the principal amount to the owner, and also to the king a fine of equal amount or according to (his) capacity.

Mitāksharā:—Of pledges &c., âdhyâdinam i.e. (the text extending) as far as the wealth of 'learned Brâhmanas' (in verse 25 above); trespasser, one who bases his title upon the strength of long-continued possession dhanam, the amount, i.e. that principal amount the subject of dispute.

Here the clause dâpayet, should be made to pay, dandam cha tatsamam, to the owner, is an Anuwâda³ and the clause as

- 1. Here according to S'ulapâni an Upanikshepa is a staled deposit, while the Mitâksharâ and the Viramitrodaya interpret it as an open deposit.

 2. Ch. IX. 12.
- 3. A Vidhi is the principal statement and an anuvada is only an explanatory repetition of a Vidhi; उद्देश or अनुवाद is also sometime referred to as आप्त, and विधेष as अप्राप्त e. g. प्राप्ताप्राप्तिविकन्याय.

The meaning is that payment of a fine, the imposition of a penalty is the principal thing, while restitution or compensation to the owner is only a subordinate one.

. The words उद्देश and विधेय require a special notice. उद्देश is the subject of an assertion; it is otherwise called अनुवाद, an explanatory repetition

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also a fine equal to it, i. e. equal to the amount in dispute should be made to pay to the king, is the Vidhi. Although a fine of an equal amount is not in the case of a house, lands &c, still the penalty mentioned further on (Yâjii. II. 155) viz.

* Page 21. 'For destroying boundary marks, and for encroaching beyond &c.'s hould be adopted.

If perhaps, the trespasser, on account of his immense riches is not (likely to be sufficiently) punished by a fine equal in amount to the principal, then he should be made to pay an amount according to his capacity—(i. e.) so much should be caused to be paid, by as much as his arrogance would be tamed down. For in the text1:-"They declare that the word danda is derived from damana (taming down or restraining); therefore he (the king) should restrain the unrestrained." the word danda is used in the sense of restraining or taming down. He, however, who does not possess wealth even equal in amount to the principal, should be made to pay only so much as would (serve to) punish him. He, moreover, who has no money whatever, should be punished by the (several modes of punishment such as) dhigdanda and others. For Manu also says2: "He should punish first with the expression (dhik) fy! or shame! then by (a harsh) reproof; thirdly by a fine (in money), and after that, by the punishment or chastisement."

The punishment or chastisement of the body has been indicated to be tenfold in the case of persons excepting Brâhmaṇas. So says Manu³ "Manu, born of the Self-existent has mentioned, in the case of the three (lower) varṇâs (orders) ten places for (inflicting) punishment; but a Brâhmaṇa shall go unhurt (from the country); (the ten places are) the organ, the belly, the

of, or reference to, what is already mentioned; विशेष is the fact, or the quality asserted of the subject; it is otherwise called the predicate, and is to be proved or established. The उद्देष is already known or assumed as established, while the विशेष is that to establish the connection of which with the उद्देश is the object of the proposition. To take an illustration: "Devadatta is wise." Here Devadatta is the उद्देश or the subject, and being already known or assumed as established is from another point of view also an अनुसद; but "wisdom" is that which is to be established with reference to Devadatta, and is therefore the विशेष.

^{1.} of Gautama X, 28. 2. Ch. VIII. 129. 3. Ch. VIII. 124-125.

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tongue, the two hands, the two feet, the eye, the nose, the two ears, the wealth, and also the (whole) body." It should be observed that the punishment should be administered only to such parts of the body as the organ &c. by means of which an offence has been committed; or (he) should be made to serve on labour, or be consigned to a prison-house. As has been said by Kátyâyana1; "If it is found that he is unable to make the payment of money, he should be made to work under his orders; if unable, he should be consigned to a prison-house; excepting (in the case of) a Brâhmana". In the case of a Brâhmana, however, in the absence of money, 'prevention of the act, etc.' should be ordered; as says Gautama2: "Preventing (a repetition of) the deed, publicly proclaiming his crime, banishment, and branding (are the punishments for a Brâhmana) and he (i.e. the king) who does not do his duty (by inflicting punishment) &c.3 " Nārada4 down the law viz. "Corporal punishment, laying tion of entire property, banishment⁵ from the town as amputation as well of the (guilty) are (declared to be) the punishments for Sáhasa of the highest degree; this law of punishment is ordained for all (castes) indiscriminately," has said,6 "Excepting (only) corporal punishment in the case of a Brâhmana. A Brâhmana must not be subjected to corporal punishment. Shaving of the head, banishment from the town, branding on the forehead with a mark of the crime of which he has been convicted, and expulsion after parading on an ass shall be his punishments." The rule for branding has (there) been laid down (thus)-" For violating a Guru's bed (the mark of) a female part shall be impressed; for drinking liquor, the sign of a tavern; for theft, a dog's foot; and for murdering a Brâhman; headless corpse.7" As for the text⁸ of Apastamba, viz. "In the case of a Brâhmana, his eye-sight should be blocked," the meaning thereof is that at

Verse, 479. 1.

^{2.} XII. 47.

The text given here is not complete. The full text of man being अवदृत्ती प्रायश्चित्ती स: i.e. the king who does not do his duty in this way makes 4. Ch. XIV. 8.9. himself liable for a penance.

^{5.} बज is used here in the sense of प्रवान-send into exile.

^{6.} Ch. XIV. 9, 10.

^{7.} Manu IX. 237. 8. II. 10. 27, 17.

the time of banishing a Brâlmana from the town his eye-sight should be blocked by means of a cloth, etc., and not that his eyes should be pulled out. For otherwise there would be a contradiction with the texts of Manu and Gautama, viz., "a Brâlmana should be exiled unhurt" a corporal punishment is not (laid down) for a Brâlmana." So enough of prolixity.

Viramitrodaya.

In the case a pledge and other kinds meationed above, by reason of the force of possession, not only of the person in possession is there no title by ownership established, but on the other hand, for one who takes it away by the force of enjoyment, there is even punishment; so the Author says

Y.jñavalkya, Verse 26.

Adhyadinam, of pledges &c. particularly as owner, hartaram, to trespasser, one who appropriates it at his pleasure, dhanine, to the owner i e. to the owner of the property pledged, dhanam, the property in the form of the pledge which is the subject of dispute, dapayet, should cause to be pait, the inquiring officer.

Tatsamam, 'equal to that,' i. e. in specie or by the value, equal to the pledged article, or in accordance with the capacity of the trespasser: if he has moderate wealth, less than that, and if possessing more wealth, even larger than that, a 'penalty,' dandam, should be caused to be paid to the king.

By the use of the word cha, 'and,' is added the banishment &c. of one who has not even ordinary wealth. The collection of indeclinables such as atha, api, and wa is indicative of option. (26).

S'ulapani. Yajñavalkya, Verse 26.

One taking away the wealth of the owner by means of a pledge &c.) the Royal officer should compel to be restored to the owner. A fine equal in amount to it. In the case of an incapacity to pay a fine to that extent, even a small amount. (26).

It has been laid down that possession is evidence of title of ownership wherever possession is an invariable accompaniment of ownership. As, however, every kind of possession is not necessarily coupled with ownership, it may be asked, what kind of possession (is it that) is evidence? So the Author says

Yâjñavalkya, Verse 27 (1).

Title is superior to possession excepting where it (i.e., possession) has descended from a line of ancestors.

Mitâksharâ:—The origin of ownership, such as gift, purchase &c., is (called) A'gama, title. It is more powerful than even possession, inasmuch as possession as an index of ownership, is dependent upon title. As says Nârada¹ "After (establishing) a a clear title, possession obtains an evidentiary value. Possession without a title which is not clear does not make (any) evidence (of ownership)."

Nor, moreover, can it be said that the title to ownership can be obtained from mere possession, as it is likely that property which belongs even to others may be enjoyed by trespass &c. Hence also has it been said²: "He who pleads possession, only and no title of any sort, should be considered as a thief in consequence of his pleading such illegitimate possession." Therefore the conclusion is that only that possession which is coupled with the five characteristics, viz: that it is with title, long-continued, uninterrupted, without a protest, and with notice to the opponent is (good) evidence (of ownership). Moreover it has been stated³: "Even possession is five-fold, viz: it is with a title, long-continued, uninterrupted, without a protest (from the opponent) and with notice to⁴ the opponent."

Sometime, however, possession is accepted as evidence and (in such a case) it does not depend upon title, so the Author says:

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^{1.} Ch. I. 85.

^{2.} By Nârada ch. I. 86.

^{3.} By Vyāsa.

^{4.} i. e. in the presence of the defendant.

Vinâ pûrwakramágatâditi, excepting where it has descended from a line of ancestors; pûrvakramaḥ, line of ancestors, is the (continued) line of the past three ancestors such as the father and the rest. Vinâ, excepting, that bhoga, possession, * Page 22. which has come down in this way, A'gamo abhyadhikaḥ, title is superior; this is the context. The meaning is that such a possession being even superior

to title is (good) evidence independently of title.

Even then, it is independent of the knowledge of a (lawful) title, and not of its existence itself. It should be marked that the existence of title is deducible from that (i.e., possession) itself. Moreover, the text 'excepting when it comes down from a line of ancestors' refers to immemorial possession; while the text" title is superior to possession "refers to possession within memory. Hence also in the case of possession within memory, it (i.e., possession) has 15 evidentiary value only when it co-exists with (the means of) knowledge of title, because if the absence of knowledge is not here properly accounted for, it is possible that an (absolute) absence of (a legal) title may be presumed. In the case of immemorial possession, however, a long continued possession is itself evidence (of 20 ownership) independently of the knowledge of title, because in that case there is an absolute absence of the means by which want of knowledge of the origin (or title) is accounted for. This very thing has been made clear by Kâtyâyana2 "In cases (falling) within the memory of man, possession in the case of land, is regarded as 25evidence of ownership when it is with title. But in cases (extending) beyond human memory, enjoyment by three generations suffices, on account of the absence (of knowledge) of (the proof of) title." Time within the memory of man extends as far as a hundred years. As there is the S'ruti, "a (purusha) man has 30 a hundred years' (duration) of life, Anugamabhavat, on account of the absence of proof &c., i.e., owing to the absence of a. positive certainty as to the non-existence of title on account of the

^{1.} Here there is a mistake in the print; a p. 22 1.3 for स्मार्तकाल read अस्मार्तकाल.

^{2.} Verse, 321; Comp. Nárada I. 89.

non-existence of proper means of the knowledge of title¹. Therefore possession creates ownership when it is for more than a hundred years (which is), uninterrupted, without a protest (with the knowledge), and in the presence of the opponent and when the origin of title has not been determined, inasmuch as a (legal) title is presumed in the absence of (proof to) the contrary. Even in the case where possession extends beyond the memory of man, it is not evidence (of ownership) if there is a tradition about its being without a title. Hence also has

1. योग्यानुपलब्धि:-mark this term. उपलब्धि means ज्ञानम् or knowledge; and an अनुपलचिव is its absence. An अनुपलचिव may occur in two cases, viz. (I) where there is a capacity for the perception, but still there is want of perception; and in this case the अनुपलिया is योग्या; and secondly (2) where there is an absolute absence of capacity for perception and therefore there is want of perception in which case there is योग्यानुपलन्ध्यभाव:. Thus, चटजानाभाव may be possible in two cases (1) where the घटनानामान is due not to an absolute absence of the means of perception of the az such as eyes &c. but still there is जानाभाव. Here no doubt there is an अनुपत्न in spite of the existence of circumstances necessary for an उपलब्धि i. e. there exists an initial capacity for the perception, but still an imperception occurs and so the अनुपलच्चि is बोग्या. Stated in simple language, where there is योग्यता for उपलब्धि but still there is an अनुपलब्धि we have a योग्यानुपलब्धि. See Bâlambhatți p. 42 1. 3. " योग्यत्वे सत्यनुपलाविव: ।" (2) where, however, there is an absolute absence of the (योग्यता) capacity for perception, there is no possibility of an ਰਪ੍ਰਲਵਿੰਧ at all as e g. on account of blindness &c. in such a case there is अनुप्लान्ध but not a योग्यानुप्लान्ध, so there is a योग्यानुप्लन्ध्यमानः ।

In the present context, where the possession is recent, it is possible to ascertain the origin, but there may exist circumstances which may account for the non—knowledge (अनुपल्लिच) of the origin, in such a case there is योग्यानुपल्लिच. In the case of long—continued possession the origin of the title is not known, and it is not known because it is absolutely impossible to know it. Here there is योग्यान्यल्ल्ब्यमान ।

The purport of the above may be put in short and simple language thus: Non-perception of a thing may be due to two circumstances viz. (1) absence of means of perception but with a capacity to perceive, and (2) absence of the capacity for perception—In (1) it is गोग्यानुपल्डिंगः, in (2) it is गोग्यानुपल्ड्यमानः e. g. the question is whether a man is learned.' For determining this, learned men are required to test the capacity of the man who says that he is learned. If learned men are available and still the capacity or learning of the man does not come out it may be properly said that the learning does not exist at all—here there is a योग्यानुपल्डिंगः But if learned men are not available and the capacity remains undetermined on that account there is an अनुपल्डिंगः which may be explained by a proper reason and therefore there is a योग्यानुपल्ड्यमानः।

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it been said that "He who enjoys without a title even if it be for many hundred years, the ruler of the land shall inflict on that sinful man the punishment ordained for a thief."

It should not, however, be supposed by the use of the singular number in "He who enjoys without a title" and the use of the word even (api) in "even if it be for many hundred years," that a punishment has been ordained (only) for the first acquirer without title even if the possession is held for a long time. This does not hold as (in that case) in the case of the second and the third generation even a possession without title may come to be accepted as evidence (of ownership), as Nârada² has said: "In the case of the first acquirer, gift is the (proper) cause (of title); while for the intermediate generations possession with title (is the cause.)" Therefore in all cases of possession without title the rule (laid down in) "he who enjoys without a title &c." should be observed.

As to what has been said³ viz. "When possession has been successively held, even though unlawfully, by the three ancestors and the father, the property (so held) cannot be taken away from him, because it has descended through three (successive) lives in order," even there, it should be construed as "by the three ancestors along with the father." There also the expression "descended through three (successive) lives in order" is indicative of a period beyond the memory of man. (Because) if it be taken (only as) referring to three (particular) lives, it is possible that three lives might be over even within the space of one year and possession without ownership might become evidence (of ownership) even in the second year (of occupation). And in that case there would be a conflict with the Smṛti⁴ "In cases (falling) within the memory of man, possession in the case of land, is regarded as evidence of ownership when it is with title."

The text annyayenapi yadbhuktam 'when possession has been held even though unlawfully &c.' should be construed as follows:— "what has been possessed cannot be taken away, even though it be unlawfully (held); what then where the illegality (of the possession)

^{1.} By Nârada I. 87.

^{3.} Nârada I. 91.

^{2.} See Kâtyâyana, Verse 322.

^{4.} Of Kātyāyana, Verse 321.

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is undetermined", inasmuch as the word api (even though) has been used in it.

As to what has been said by Hârîta viz.: "What has been held in enjoyment in continuation by three (generations of) ancestors without any title whatsoever and what has descended through three (successive) lives in order, cannot be taken away", even there, (the expression) atyantamâgamam vinâ 'without any title whatsoever' is to be explained as without any available title &c. and not without any title at all. It has (already) been said that there cannot be ownership even with a hundred (generations) of possession if the title itself is not available. The import of kramât tripurushâgatam 'descended through three lives in order' has been explained.

It may be said: "Possession cannot properly be accepted as evidence of ownership, because when it is within An objection. the memory of man it is dependent upon title.

For, if title is known by other means (of proof), then ownership having been established by the same (means), possession is not evidence either of ownership or of title. And if title is not known by other means, how can possession which is qualified by title be evidence?" (To this) the answer is as follows: Even possession which is accompanied by a title though proved by other means when uninterrupted creates ownership in course of time. A title though proved is not sufficient to create ownership in course of time, (if it be) without possession, as a gift or sale in the meanwhile might create a title to ownership. Thus the whole is unobjectionable. 27(1)

It has been said that possession is evidence (of ownership) when it is accompanied by title; then (it may even be said that) title is evidence (of ownership) independently of possession. So, the author says

Yâjñavalkya, Verse 27 (2).

In a title also there would be no force if there is no possession even for a short time.

Mitâkṣharâ:—In (the case of) a title where bhuktiḥ, possession even for a short time does not exist, no; in that (i. e. that title) there is stokâ pi not full force Balam.

This is the meaning intended. A Dâna, gift, is that where there is a cessation of one's ownership and the 5 commencement of another's ownership is secured: * Page 23. if the other accepts it as his own, and not otherwise. Acceptance, moreover, is threefold. Mental, Manasah. Verbal, Vâchikah, and Physical, Kâyikascha. Of these the Mânasa or mental is in the form of a (mental) resolution that 'it has become mine.' "The Vâchika or verbal is an objective1 recognition of the thing (as one's own), with the utterance of the words "this has become mine." The Kâyika or physical is of many sorts viz. by actual receipt or by touching (the subject matter) &c. In this respect a rule has been laid down: "A deer-hide should be given by (means of touching) the tail, a cow by the tail, an elephant by the trunk; by the hair, should similarly, a horse be given and a maid by the head." Aswalayana also says.—" The consent of sentient beings should be obtained; non-sentient beings and a maid should be 20 touched."

There, in the case of gold (i. e. money), as physical acceptance becomes complete only after the offering of the water,² clothes &c. all the three modes of acceptance are observed. In the case of land etc., however, a (complete) physical acceptance being impossible without the enjoyment of profits, the acceptance should be by possession (for) howsoever short a time (it may be;) otherwise a gift, or a sale does not become complete. Thus a title becomes weak if it is unaccompanied by (actual) physical acceptance in the form of the enjoyment of profits, because, there such a title i. e. one with possession is wanting. This,³ however, would be

^{1.} स्विकत्वक is the same as स्विशेषणक having reference to a particular condition or object. Note the ordinary process in daily offerings. e. g. (1) असये स्वाहा (2) असय इदं, (3) न मम Thus it typifies the essentials of a donation viz. स्वस्वत्विश्चि and प्रक्रवामि of. Donatis of the Roman Law and its essentials.

^{2.} As distinguished from the land &c. in which case acceptance is not complete un'il profits are gathered in.

^{3.} For an exposition of this passage and its context see the Bâlambhatti Sk. p. 45 ll. 4-6.

where the priority of time between the two is not known. When, however, the priority of time is known, a prior title alone will have force even if it is wanting in (the necessary) qualities.

Or again, it has been laid down1 that evidence is of three kinds viz. writing, witnesses and possession; it may be asked, where all these exist together which of them would prevail and where? the answer that would naturally suggest itself is this: "Title is superior to possession, excepting where it (i.e. possession) has descended down from a line of ancestors. In a title also there would be no force if there is no possession even for a short time." The meaning is this. In the case of the first acquirer, title established by witnesses is even stronger than possession, unless there is a possession which had come down from a (successive) line of ancestors. possession moreover, coming down from a (successive) line of ancestors in the case of the fourth generation becomes stronger than a title established by a writing. While in the case of the intermediate generation, a title accompanied by possession even though short is superior to a title without possession. This very thing has been made clear by Nârada2: "The origin (of title) in the case of the first (acquirer) is gift, in the case of the intermediate (holders) possession with title, and in the case of possession which is long and continued, (such) possession is itself the sole origin." 27 (2).

Viramitrodaya.

Possession without a lawful origin (even though) extending over more than three generations is not evidence of title, but only such as has a lawful origin; so the Author says

Yâjñavalkya, Verse 27.

The possession which is other than that handed down in a line i.e. come to from the preceding lines of ancestors such as the father, and the three ancestors, even greater than that, and different but arising out of it is the agamah, 'origin of title' such as sale, acceptance of a gift &c. by reason of the derivation viz., agachchhate, 'comes' i.e. becomes one's own, by which, that. The preposition, abhi is used to secure the parts.

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^{1.} i. e in verse 22 above p. 713 as means of evidence.

^{2.} Cf. Kâtyāyana, Verse 322.

Indeed if thus a legal origin of title is necessary to be established, then for establishing one's own proprietory interest, a continuity of possession would be useless. (Anticipating this question) the Author says-In regard to property such as land, &c., even if a little, as compared with possession for three generations, i.e., for a short time even, possession does not exist, there even a legal origin of title has no force, i.e., will not be helpful in establishing the object at issue. Even if the existence of a legal origin of title be proved, by reason of the same not having been proved to have been pursued, for 10 establishing it, it is necessary to establish continuity of possession. This is the meaning.

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Although, a legal origin of title has not been pointed separately as a distinct means of evidence, still, it should be noticed that it is included in 'inference', added to by the word cha 'and'.

For three generations, i.e., possession enjoyed for three generations even if without (the establishment of) a legal origin, is still sufficient to establish the point at issue. So it will be stated further on. (27).

S'ulapâni.

Yâjñavalkya, Verse 27.

20 In the case of land &c. a legal origin of title handed down from past generations is stronger than possession. Therefore, possession transmitted through generations is stronger than title. So Brhaspati:2 "A witness prevails over inference; a writing prevails over witnesses: undisturbed possession for three generations is stronger than both these". 25 Vyasa mentions possession by three generations: "That which was held in possession by the great-grandfather; and also by his son after him; and after these two, by his father also, the possession of such a one is for three generations". Brhaspati:3 "Should even if the father, grandfather, and the great-grand-father of a man be alive, possession of 30 the (possession of the) three during their joint lives together is to be known as possession for one generation".

Title also becomes powerful, when possession even for a short time does not exist. So Narada:4 "Though a document be in existence, and witneses be living, particularly in regard to immovables, that which has not been held in possession is not permanent." (27).

^{1.} i.e. in Verse 22 above.

^{3.} Ch. IX, 23-24.

^{2.} Ch. IX. 32.

^{4.} Oh, I. 77,

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By the text¹ "Passyatah abruvatah etc." [while (he) sees does not object etc.], it has been laid down that after twenty years in the case of land and ten years in the case of money there would not be a recovery of profits. Thinking that in such a case it may be supposed that as with the recovery of profits so there would not even be the recovery of fine, the Author proceeds to expound the law as to fines by considering the generation (of the occupiers) as well as the means of proof. So the Author says:—

Yâjñavalkya, Verse 28.

He who made the acquisition of a title if sued should prove it, (but) not his son, nor his (i. e. son's) son; (for) in their case possession has more force.

Mitâksharâ:—Yena, by him, i.e. the person by whom of land etc. the acquisition of a title, Âgamah, was made, kṛtaḥ, that man if challenged in a suit, abhiyuktaḥ, as to whence he acquired the land etc. should prove, uddharet, i.e. establish, it, taṃ, i.e. the title, as e.g. through gift etc., by means of a writing and other means of proof. By this also it amounts to be laid down that the first acquirer is liable to be fined if he does not make out his title.

His son, tatsutah, i. e. the second, if sued need not prove title; but uninterrupted possession without protest and with notice. By this it has also been proved that there would be no fine to the second if he does not prove title, but if he does not prove a particular manner of possession. His son, tatsutah, i. e. the third, need not prove either title or any particular manner of possession, but simply possession handed down in a (successive) line (of ancestors). By this also it has been established that there would be fine for the third if he did not prove possession handed down in a line, and not if he does not prove title or a particular manner of possession. In their case, tatra, i. e. in the case of the second and the third, possession, bhuktih, alone has more force, garîyasī.

There also, the distinction to be noticed is, that in the case of the second it has force, while in the case of the third, there is greater force. The loss of the thing takes place equally in all the three, that

^{1.} Verse II. 24 p. 41, ll. 36-37 of Eng. Tr. p. above.

is, the purport is that if title is not proved the distinction has a reference to the fine only. Hârita also has said—"He, by whom an acquisition has been made, is liable to punishment if he does not prove it, and not his son or his (i. e. son's) son; but even these lose the thing possessed." 28.

Viramitrodaya

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At times, even elsewhere also, mere possession is proof (of title); so the Author says

Yâjñavalkaya, Verse 28.

The person who made the acquisition of title, such as by purchase &c., such a one when challenged in a judicial proceeding, i.e., asked to establish his title, tam agamam, 'such origin of title', uddharet, 'he should prove', i.e., establish by evidence.

Tasya, 'of him', i.e., of the one who acquired the title, son, or 15 also the son of the son of him who acquired the title, need not establish the origin of the title acquired by the grand-father.

Tatra, 'in their case', i.e., in the case of his son and the succeeding generations, bhuktih, 'possession', gariyasî, 'has more force', i e., irrespective of any other, is sufficient to establish the claim.

The word wa, 'or', is used to show indifference; by that are included the great-grandson, &c. In Tatra, 'in that case', the Locative is used as having the force of the Possessive case. By the use of the word tu, 'however', is excluded possession; even in that case also, the enjoyment being necessary to be established. (28).

S'ulapani.

Yâjñavalkya, Verse 28.

One by whom witnesses, documents &c. have been indicated in writing in the case of (disputes regarding) land &c., such a one should expose the falsity of witnesses, documents &c. relied upon by the person complained against passed by another. His son and grandson, however, need not try to prove. In their case, possession itself will expose the falsity. It is not correct to explain uddharet 'should prove' as darsayet 'should point out.' In that way in the case of the son and the rest, when mere possession being proof of the rule 'that possession for three generations is proof', may not hold. As says Brhaspati': "The person who has

^{1.} See Ch. IX. 25.

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taken possession should establish his possession, as well as the origin of his title, in the Court; his son, possession alone; and in the case of grandsons &c. nothing whatsoever". The meaning is, that by regard to the rule "that pure possession without interruption in the case of grandsons" by grandsons, the origin of title or of possession need not be proved. The origin of title and the possession, however must be pointed out. (28).

* PAGE 24.

By the (qualifying) text¹ "excepting where it has come down from a line of ancestors" it has been laid down that possession may be (accepted as) evidence when it extends beyond the memory of man and in which case it is independent of the knowledge of title. The Author mentions an exception to this

Yâjñavalkya, Verse 29.

If a person happen to die while a suit was filed against him his (legal) heir should prove it. In such a case possession is no evidence (i.e. of ownership) if it is not proved to be accompanied with title.

Mitakshara:—When, however, a trespasser etc., abhiyuktah, while a suit had been filed against him, and before the suit was decided, paretah, happen to die i. e. happen to depart to the next world, then his heir, tasya rikthī e. g. sons etc., tam uddharet, should prove it i. e. the title; since in such a case, tatra i. e. in that suit, bhuktih, possession, without title, even though established by witnesses etc., is no evidence. Because by reason of a suit against the last holder, possession ceased (to have any value as evidence). It has also been said by Nârada²: "Of the litigant who has died while a suit was filed against him, the son should prove the title, (since) the point (at issue) will not be established by (mere) possession." 29.

Viramitrodaya.

Here, in this connection, the Author mentions an exception

Yâjñavalkya, Verse 29.

Since, in such a place, agamena vina krta, 'held without title', i.e., unaccompanied, bhuktir na karanam, 'possession is no evidence', i.e., for establishing the point at issue.

^{1.} Yājūavalkya II. 27 (1) see p. 733 above.

^{2.} Oh, I. 93.

Here, moreover, possession is evidence (of ownership) if it has the five characteristics.1 viz.: " If it is with a legal origin of title, longcontinued, without any gap, without protest from another, and in the presence? of the defendant." Thus, by the text,3 'Title is superior etc.', its being coupled with a legal origin of title, by the text,4 'for twenty years, etc.', its long-continuousness and uninterruptedness, also by the text,5 'without protest, etc.', its being without a protest from another, and by the text,6 'while looking on, etc.', the near presence of the defendant, has been pointed out.

In some places, it has been stated that in the case of possession for three generations, accompaniment by a title is not required (to be established)-there it is doubtful, because without the origin of a legal title, the acceptance of (mere) possession (as sufficient), would be in conflict with the Smrtis. For, says, Narada7: "He who enjoys without a title for ever so many hundred years, the ruler of the land should inflict on that sinful man, the punishment ordained for a thief", also8: "By (establishing) a clear title, possession obtains an evidentiary value. Possession without a title which is not clear does certainly not make for (any) evidence (of ownership)".

20 Here, by the use of the word eva, 'certainly', and also by a re-interation of what was established once, it may be said that in all cases possession is evidence of title only when it is accompanied by a legal origin of title. Not so. The text of Narada has application only when an absolute absence of a legal origin is positively determined. And thus, possession for three generations or the like, will have evidentiary value even when there is a doubt about the (origin of) title. Intending this very thing, the same writer says: "Even though unlawfully, when possession has been held successively, by the father and the three prior ancestors, that property cannot be taken away from him, because it has descended through three (successive) generations in order." "That which even without a title has been enjoyed before by three generations, that having been handed down for three generations cannot be disturbed."

Vyasa also:-"That which is absolutely without a litle and as such has been enjoyed by three preceding ancestors, such a thing having 35

^{1.} Aparârka assigns this text to Vyâsa, while the Smrtichandrikâ to Pitâmaha.

^{2.} i. e. with notice to him.

^{3.} Yâjñ. II. 27 (1).

^{4.} Yâjñavalkya II. 24-2nd quarter.

^{5.} and 6. ,, ,, ,, 1st quarter.

^{7.} Ch. I. 87.

^{8.} Ch. I. 85. 9. Ch. I. 91.

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been handed down in succession for three generations, cannot be disturbed. What was held in possession by the great-grand-father, and by his son after him, and after these two by the father also, the possession of his, is possession for three generations. For twenty years having been enjoyed by the owner without disturbance, such possession of land is as far as one generation, double that is for two generations, and for three generations is treble; in such a case origin of title is not necessary."

Thus, moreover it has been established that possession for twenty years is evidence only when there is certainty of a legal title, the proof of which it contemplates.

Indeed even thus, in the text¹: commencing with 'while looking on aud not protesting' and its theory, and in the text²: An objection. "Whose possession has been continuous, and has never been interrupted for thirty years, from him, that should not be disturbed." The contradiction between these is apparent

there itself. By stating that a thirty years' possession has evidentiary value, in effect the evidentiary value of twenty years' possession is discarded. The answer is: No. The text 'While looking on and not protesting' has application where the possession is

The answer. without protest, while in the text of Brhaspati by the use of the word 'not uncontinuous' possession characterised by quarrel, beating and like other interruptions, even possession with protest also is deemed to have evidentiary value.

And thus as the result of all the texts, and a conflict by regard to (the fact of) a difference of subjects, the capacity for possession for ten years and the like either as creating a title for ownership, or to serve as its evidentiary value, has been removed. Not the first, like acceptance (of a gift) possession not having the force to be regarded as a source indicative of proprietorship; nor the last, as generally in a possession without a title there is a vitiation.

Oh! indeed! Then direct a similar view to possession for three generations! If it be on the strength of an express text, then in such a case, the decision would be by regard to the principles of a fraudulent action. Or if a text laying down the evidentiary value of a possession for three generations is alone the basis for its being accepted as the means of origin of ownership, then it is similar to the one under consideration, and in this way if it be suggested that this possession for six months even, would by a parity of reasoning, be regarded as evidence

^{1.} Yâjñ. II. 24.

of ownership, the answer is, no. For a subject, covered by an express text, there is no scope for a maxim. This is the point. (29).

S'ulâpani.

Yâjñavalkya Verse 29.

If the person complained against be dead without proving his title, then his son and the like should establish the title. So says Narada': "If a litigant dies during a law suit of this sort which has been commenced, and not decided, the point must be established by his son. Possession (of the father) will not be sufficient".

Possession for three generations with a title has evidentiary value. So says Kâtyāyana²: "Land which has been enjoyed in possession for three generations in due course, in such a case that land will be retained by the fourth even in the absence of a document" The same Author³ explains the expression yathâ vidhi 'in due course', thus: "With a legal origin of title, long-continued, without a gap, without interruption by another, and in the presence of the opponent. Thus of five characteristics is possession intended." "After⁴ establishing a clear title, possession obtains an evidentiary value. Possession without a title, or with a title which is not clear, does not make for (any) evidence (of ownership)". (29).

It has been established that where a suit remains undecided and a litigant dies, the (proceeding of the) suit does not stop (there). In some cases, however, where a suit is decided or a litigant is living, a suit is re-tried, and in some cases it is not re-tried; for a determination of the rule (applicable) in these cases, the Author mentions the comparative superiority and inferiority of those who decide disputes

Yâjñavalkya, Verse 30.

In matters of legal proceedings between men, officers appointed by the King, the Pûgas, the S'renis, and the Kulas, (each of these) preceding should be considered to be in the superior order of priority (specified here).

^{1.} Ch. I. 93.

^{2.} Verse 327.

^{3.} See note 1 on p. 744 above. Here S'ulapâni assigns this text to Kâtyâyana.

^{4.} Nârada I. 85.

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Mitâksharâ:—Nṛpeṇa, by the king, i.e. by the ruler; adhikṛtâh, appointed, for trying and deciding legal proceedings, referred to in the text¹: "A king should select as his Councillors, &c." and pugâḥ, corporations, i.e. of men (though) belonging to different castes and (following) different occupations, but residents of the same place e. g. of a city, town &c.; s'reṇayaḥ, trade-guilds of persons earning their livelihood by the same (kind of) labour whether belonging to different castes or to the same caste e.g. of the dealers in the cattle, beetle, the weaver and the currier; kulâni, groups of caste-people, relatives, and cognates.

Of these four i. e. officers appointed by the King &c. pûrvam pûrvam, in the order of priority, whoever has been mentioned first, those in order, jñeyam, should be considered i. e. regarded, as balavat, more powerful i. e. superior, nṛṇâm, between men, i. e. men engaged in litigation; vyawahârawidhau, in the matter of legal proceedings, i. e. in the matter of trying and deciding a dispute.

This is the meaning intended: In the case of a suit decided by officers appointed by the king, there would be no fresh hearing before $P\hat{u}gas$ &c. on the ground of a wrong (exercise of) judgment, even if the defeated party is dissatisfied. Similarly, even in the (case of the) suit decided by $P\hat{u}ga$ there would be no appeal to S'renis &c. So on a decision by the S'reni there can be no resort to the Kula. But from the decision of the Kula one may go to the S'reni &c.; from the decision of the S'reni to the Pûga, and from the judgment of the Pûga to the officers appointed by the King.

Nârada², however, has said that there would be an appeal to the king even from a decision of the officers appointed by the king "Kulâs, Srenis, Pùgâs,³ an officer appointed (by the king), and the king (himself) are invested with the power of deciding law suits; and of these, each succeeding one is superior to the one preceding him in order."

In such a case, moreover, where a party appeals to the king, if in a trial with a wager before the king and his councillors together

^{1.} See Yàjñ. II. 2. p. 2.

^{3.} Ganas (V. L.)

^{2.} Introduction Verse 7.

with the officers before whom it was first tried, the party complaining of impartiality is defeated, he should be fined. But if he succeeds, then the officers appointed as judges should be fined. (30.)

S'ulapâni

Yâjñavalkya, Verse 30.

 $P\hat{u}gah$, 'An association formed e.g. of grocers and the like is called $P\hat{u}ga$ ', thus stated by Kâtyâyana'; and the collection of grocers and others of different castes, is $\hat{S}renh$; an assemblage of those of the same caste is a Kula, other than that. Of these when authorised by the king, in the matter of a decision of a dispute, the one prior is more authoritative than the one succeeding. This in regard to a rehearing has greater force, e.g. what has been decided by the $P\hat{u}ga$, must not be interfered with by a $\hat{S}reni$. This is the meaning.

By these should be decided excepting cases involving heinous offences and the like. So says Bṛhaspati²: "Those groups such as the Kula, Śreni, Ganas and the like as have been duly appointed by the king, should decide cases of disputants excepting those relating to the adjudication of heinous offences." (30).

It has been said that a suit decided by an inferior tribunal may be retried, and that decided by the superior is not reopened.

Now the Author mentions cases where even a suit decided by the superior tribunal is reopened

Yâjñavalkya, Verse 31.

Transactions brought about by force or fraud should 25 be upset, so also those entered into by women, at night, in the interior of the house, outside, or with the enemies.

Mitâksharā:—Balêna, by force, i. e. under compulsion; upâdhinâ, by fraud, such as threats etc.;

30 * Page 25. vinirvṛttân, brought about, i. e. produced; vyawahârânniwartayet, transactions should be upset. Similarly stribhir, by women; naktam, at night, éven if by others than women; antarâgâre, in the interior apartment of the house; bahir, outside the village; s'atrubhischa krtân, as

^{1.} Verse 679.

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also those transactions entered into with the enemies, should be reopened. This is the construction. (31.)

S'ulapâni.

Yajnavalkya, Verse 31.

By force, or by fraud brought about, as also that made by women, at night, or in the inner apartment of a house, or those entered into outside the town, the transactions such as of sale, gift, and the like, as also entered into with the enemy, one should avoid (31).

A transaction entered into by the intoxicated, the insane etc., will not be upheld

Yâjñavalkya, Verse 32.

A transaction¹ entered into by a person (who is) intoxicated, or insane, or afflicted with disease, by one in distress, or by a minor, or one frightened, or the like, will not be upheld; as also that entered into by one who has no connection.

Mitâksharâ:—Moreover, mattah, intoxicated, by some intoxicant, unmattah², insane, affected by insanity caused by either of the five causes viz. (disorder, arising) from Vâta³ (wind), Fitta (bile), S'leyhmâ (phlegmatic humor), or a combination of these, or by an evil demon, or by (the influence of) a plant. Ârtah, afflicated, with a disease etc.; vyasanam, distress, is the pain caused by the separation from the loved and acquisition of the undesired; and a vyasanî, distressed, is one who is affected by it; bâlah, a minor, incapacitated for (entering into) any transaction; bhîtah,

- 1. A system may better be rendered as "a transaction" in this context. The general conditions in this and the last verse apply as well to suits as to other transactions.
- 2. An Unmada has been thus defind :—'' मद्यन्त्युद्धता दोषा यस्मादुन्मादमाश्रिताः । भानसोऽयमनो च्याधिरुन्माद इति कीर्तितः ।" Susruta.
- 3. Recognised by the Aryan Medical System as the three principal humors of the human body, every disorder of the body or of the mind being traceable to a disorder of one or more of these or of all the three combined, in which case it is called a Sannipâtah (सन्तिपात:).

frightened, by the enemies. By the use of the term A'di, or the like, is also indicated one who is inimical to the city¹ or to the nation. As Manu² has said:—" Men conversant with law and religion have laid down that a suit which is (instituted by one who is) opposed to the city or the nation, or a suit decided by the king is unacceptable as a plaint."

By these yojitah, entered into, brought about; vyawahâro na siddhyati, a transaction will not be upheld. Also a transaction entered into by one having no connection, or by one who was not appointed as an agent, will not succeed. This is the construction.

As to what, however, has been said viz.—" A suit will not lie between a preceptor and a pupil, a father and a son, between the husband and the wife, or between a master and a servant, even if they are at conflict with each other" even that is not to be taken as amounting to (lay down) an absolute exclusion of a suit between 15 a preceptor and a pupil and such others, as a suit has been ordained (to lie) even between them. For Gautama³ has said: "A pupil shall not be punished corporally. If (this course is) impossible, (he may be corrected) either with a thin rope or a thin cane. If (the preceptor) strikes (the pupil) with any other (instrument) he 20 shall be punished by the king." As Manu⁴ also has said "In no case should the punishment be upon the head." When (however) the preceptor under the excitement of anger, while punishing, strikes on the head and if the pupil (who was) thus injured in a way, which is a violation of the (laws of) Smrti and usage, complains to the 25king, then a cause of action (for a trial) does certainly arise &c.

Similarly, under the text⁵ "Land which was acquired by the grandfather &c." the ownership of father and son being equal over land &c., if the father destroys by means of sale &c. (the title to) the land &c. which was acquired by the grandfather, and if the son resorts to an officer of justice, then there would certainly arise a suit even between a father and a son. Likewise, under the text⁶

^{1.} i. e. opposed to the municipal, local or general interests.

^{2.} Not found in Manu.

^{3.} Oh. II. 48-50.

^{4.} Ch. VIII. 301.

^{5.} Yâjnña. II. 121.

^{6.} Yajña, II. 147.

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"A husband is not liable to make good the property of his wife, which was involuntarily taken by him in a famine, or for the performance of a (religious) duty, or during illness, or while under restraint" if the husband having spent away the wife's property (even) when there was no famine &c., does not pay back when asked for, even when possessing wealth, then a suit is certainly admissible even between a husband and a wife. So also the legal relations between a slave of maintenance and the master will be mentioned later on, and having regard to the text of Narada² viz. any one of these, however, save his master when his life is in peril, he shall be released from slavery and shall take a son's share (of his master's wealth), even in the case of a slave by birth, who would avoid a suit against a master, if the slave is not manumitted and not given a son's share? Therefore the purport of the verse beginning with "Between the preceptor and the pupil" &c. is that as a dispute with a preceptor &c. will bear no good result in this world or the next, so the pupils and others should in the first place be induced away by the king in company with the assessors. If, however, the parties press hard, a suit has to be commenced even (when instituted) by the pupil &c.

Although the text of Narada³ says that "Men conversant with law lay down that disputes between one and many, with women, and with servants are inadmissible as a suit;" still having regard to the text⁴: "He who robs the wealth of the villagers or transgresses any established usage &c." and the text⁵. "When one is assaulted by many &c." even a suit between one and many appears to be ordained, when they have a common cause of action. It should be noticed that a suit between one and many simultaneously will not lie when the many have different causes of action.

As for the expression 'with women', Strinam, in their case also a suit certainly is allowed e.g. with the female of a cowherd, a vintner, and such others inasmuch as these women possess independence. The text is to be explained that a suit between women other than these—i.e. women of good family whose husbands

^{1.} Yâjña II. 182.

^{2.} V. 30.

^{3.} II. 12.

^{4.} Yājūa II, 187.

^{5.} Yâjña, II. 221.

are living shall not be admissible on account of their dependence. With servants: This text also should be construed to mean that 'on account of the dependence of servants upon the masters', even in a dispute relating to his (servant's) own interests a suit should be allowed only with the master's sanction, and not otherwise. 32

Vira mitrodaya.

It has been stated that 'even while yet a suit has remained undecided, a party dies, the suit proceeds'. Now, even when a suit has been decided, and even when the party is living, sometimes the litigation proceeds, and sometimes not, so the Author says

Yâjñavalkya, Verses 30, 31, 32.

Nrpenadhikrtah, 'appointed by the king', such as the Councillors; Pugah, 'corporations' of men of different castes, such as the grocers &c. vide this text of Kâtyâyana': "The association such as of the grocers and the like is called Paga"; S'renih, an association of people of various castes but earning their livelihood by the same (kind of) work; Kulam groups of caste people, relations, and cognates. Among these, the one prior by regard to each succeeding, nrnâm, 'of men', vyawahâravidhau, 'in the matter of legal proceedings'; guru, 'superior', more powerful.

Thus it is established that a transaction examined and decided by the Councillors, even if there be a suspicion of the decision, being faulty shall not be scrutinised by the Pagas and others, while a dispute decided by the Kulu may be revised by bodies as far as the S'renis. Similarly may be understood elsewhere.

By the use of the word atha, 'and', all being under the king's province, the superiority of the king above all has been pointed out. By the word cha, 'and also' has been added the conclusion that the Chief Judge is higher than the councillors.

So also Kâtyâyana: "The Councillors are superior to the Kulas; 30 the Presiding Judge is superior to these; more than all is the king by whom the law has been settled. Of suits of the type of the highest, middling, and the lowest types, decided by tribunals of ascending degrees, the judgments have a (corresponding) superior effect". (30)

Balam, 'force' i. e., superior (force); upadhih; 'fraud', such as 35 threats, temptations etc; by these vinirvrttan, 'brought about', i. e.

^{1.} See Yâjū. II. 29 above. 2. Verse, 679.

^{3.} i. e. the Councillors appointed by the king, the Pugas, and the Stenis

produced; stribhirnaktam, 'by women, at night', even by others than women; antarâgâre, 'in the interior apartment of the house', inside the house; bahih 'outside' the village etc. in the forest etc.; śatrubhiścha krtân, 'as also those entered into with enemies'; such vyawahârân, 'transactions', nivartayet, 'One should set aside', i. e. should not accept as binding, in other words, should have re-considered.

The compound is to be solved as 'entered into with women, at night, in the interior of the house, outside, or with the enemies'. The sense of the possessive is expressed in connection with the several words differently. That moreover has been already pointed out according to context. By the use of the word tatha, 'so also' are included those opposed to the interests of the town or the nation (31).

Matto, 'intoxicated' such as by some intoxicant etc.; unmatto, 'insane', affected with insanity brought about by an evil star; arto, 'afflicted', oppressed by a disease; vyasanī, 'distressed', troubled by sorrow &c.; bâlaḥ, 'a minor', one under sixteen years of age; bhīto, 'frightened', one who has taken to fright; by the use of the word A'di, 'or the like' are included those affected by lust, anger &c. By those, yojitâh, 'entered into', i.e., made asambandhena, 'by one having no connection', i.e., one not having the connection of a brother &c.; aniyuktena 'by one not appointed', vyawahâro na sidhyati, 'a transaction will not be upheld', i.e., will not bear fruit. The substance is that the same should be considered again.

By the use of the word cha, are included those made by Dasas and the like. The word eva, 'also', is connected with the expression 'will not be upheld' and follows with it. Thereby it comes to be stated that although one made by the Kula &c., be at times upheld, one of this character can never be upheld. Here, the word Vyawahara does not mean merely justice, but indicates donation, sale, mortgage and all similar 'transactions.' 'A fraudulent' mortgage or sale, a fraudulent gift or acceptance, and (any transaction) where he detects fraud, he (the judge) shall declare null and void (166). What is given by force, what is enjoyed by force, and what has been caused to be written by force, and all transactions done by force, are as not made; so said Manu (169)."

Nârada³: "If a boy, or one who possesses no independence, transacts anything, it is declared an invalid transaction by persons acquainted with the law (39). That also which an independent person does while he has lost control over his actions, is declared an invalid

^{1.} Manu Ch. VIII. 166, 169.

^{2. —}See Śri Sitaram Pandit vs. Sri Harihar Pandit; 35 Bombay 169,

^{3,} Ch. I. 39-41, 29-30, 26-27, 42,

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transaction, on account of his want of indpendence (40). Those who are actuated by love, anger, or affected by illness, feer, or difficulty, and also those who are biased by attachment or hatred, are to be known as having lost control over their actions (41). A transaction entered into by (a slave) is declared as unauthorised, except where there is the 5. master's authority; a slave is never his own master (29). Also a transaction entered into by a son without the father's authority, that also is declared to be invalid; a slave and a son are equal in that respect (30). The transactions of gift, mortgage, or sale of land, house, or a slave made by those who are not independent, do not reach completion, when not ratified. They say that transactions entered into by women are unauthorised when there is no adversity; especially the transaction of gift, mortgage, or sale of a house or land (26). These transactions are only regarded as valid if the husband sanctions them; or the son in the absence of the husband; or the king in the absence of the husband and the son (27). In the family whoever is the eldest or senior, and who has retained his control over the senses, a transaction entered into by him, is regarded as a properly entered transaction, and not done by one not independent (42). For the sake of the family, if one enters into a transaction although himself under control, and whether in his own country or in a foreign country, that transaction, the senior should not disturb." 'Himself under control', such as a slave &c. One not independent will hereafter be described; so enough of prolixity (30, 31, 32).

S'ulapâni

Yâjñavalkya, Verse 32.

By liquor or a like intoxicant, 'intoxicated' mattah; on account of windiness &c., one who has become 'insane,' unmattah; one affected by a disease; one addicted to gambling; one less than sixteen years of age. By the use of the word ádi, 'and the like,' are included those entered into by slaves, who are not independent, or by the aged and the like, and by strangers, not related, excepting those authorised by the father. A transaction, such as of a debt and the like, entered into by these, never becomes of force. (32).

* Page 26.

After mentioning suits which are liable to be reversed, the Author indicates the kind of property which may be restored

Yâjñavalkya, Verse 33.

Lost wealth when (subsequently) recovered should be given by the king to the owner; if (however) he (the

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claimant) do not identify it by (supplying) marks (of identification) he is liable to an equal (amount of) fine.

Mitâksharâ:—Pranas'hṭam, lost wealth, such as gold &c., what was recovered, adhigatam, by the revenue or police officers &c., and brought over to the king, (that wealth) should be given by the king to the owner, if the owner identify it by (supplying) marks of identification such as the quality, quantity &c. If he do not identify, then he should be fined in an equal amount for setting up an untrue claim. This refutes the presumption of ownership which may arise on account of adhigama (finding) being recognised as one of the causes giving rise to ownership.¹

In this matter moreover, further² on the Author lays down the period of time, viz: "What was brought in by the Revenue Officers or the Officers of police as property lost and recovered, the owner may take away within a year; thereafter the king shall take it away." Manu³, moreover, has laid down three years as the period: "Property, the owner of which has disappeared, the king shall cause to be kept as a deposit for three years; within the period of three years the owner may claim it; thereafter the king shall take it." There, it shall necessarily be preserved for three years.

If the owner comes within a year, the whole should be returned (to him). Where, however, he returns after more than a year, in that case, after deducting some portion as a preservation charge, the remainder should be made over to the owner. As has been said⁴: "Then the king bearing in mind the law among good men, may take one-sixth part of the property lost and afterwards recovered, or one-tenth, or at least one-twelth." In such a case in the first year the whole should be given. But in the second, after deducting a twelfth portion, in the third, a tenth, and a sixth in the fourth and in the following years, the remainder should be restored (to the owner), and a fourth of the Royal share should be given to the finder.

When, however, the owner does not turn up a fourth of the entire property should be given to the finder and the remainder may

^{1.} See e. g. Gautama. X. 39.

^{3.} Ch. VIII. 30.

^{2.} Yájña II. 173.

^{4.} Manu. Ch. VIII, 33,

be taken by the king. So says Gautama1: "If lost property, the owner of which is not known, is recovered it should be announced to the king. The king should cause a proclamation to be made, and preserve it for one year. Afterwards one-fourth (goes) to the finder, (and) the remainder to the king." Here by the use of the word 5 'a year', the singular number is not stressed, vide the text2: "The king should cause it to be kept as a deposit for three years." And even the text2: "Thereafter the king shall take it" amounts only to a permission to dispose (it) of after three years if the owner does not turn up. Where, however, the owner appears after that (period), 10 even if the property is disposed of, the king should deduct his due and pay (to the owner) an equivalent (amount). This is with reference to gold, &c. As regards cows, etc., the Author states (the law) further on (in the text3): "The owner should pay (four) panas if the animal has an entire hoof, etc." 15

Viramitrodaya

It has been stated that 'the king should administer justice'; there, not only suits as described above alone should be investigated, but even where there is no defendant, by regard to the result being reached by means of the examination of witnesses, or regard being had to the investigation resulting in a penalty consequent upon a defeat, a resemblance of a judicial proceeding, in a case of deposit &c. where the right of ownership is under a doubt, and even in the form of the assertion that 'it is mine', and the exhibition of evidence in substantiation of it, in a similar manner; intending this, the Author mentions rules in regard to treasure—trove and the like by means of four verses.

Yâjñavalkya, Verse 33.

A nidhi, or a treasure-trove is wealth buried before and kept permanently. That, moreover, is two-fold, differentiated as deposited by self or by one's father and the like, or as deposited by others. Of these, the first pranashtam, 'lost,' but afterwards adhigatam, 'recovered', by the owner or by an officer of the king or any other, dhanam, 'wealth,' in the form of the treasure-trove. dhanine, 'to the owner' i. e., to the one -

^{1.} X. 36-38 The proper reading is प्रनष्टमस्वामिकं अभिगम्य राज्ञे पञ्च्युः। विख्याप्य राज्ञा संवत्सरस्य &c. This is the reading in the original text of Gautama.

^{2.} i. e. Manu VIII, 30.

^{3.} Yâjña II. 174,

^{4.} Yājñ. II. 1, p. 631, l. 13.

declaring that 'this is my wealth', nrpena deyam, 'by the king should be given,' if 'by signs' lingaih i.e., by means of evidence, taddhanam vibhavayet 'that wealth he should establish' i.e., should prove as his own. Na chet vibhavayet, 'if he does not establish' then a penalty equal to the amount in dispute, he incurs on account of his offence in telling a false-hood of that character.

S'úlapâni.

Yâjñavalkya, Verse 33.

Pranashtam, 'lost wealth,' such as gold &c. when found by the king, identified by the owner (to be his) by marks such as the form, the number, and the like, should be given to him. On an incongruity, 10 however, he should be made to pay a fine, equal to the amount. (33).

After laying down the law regarding gold, &c., as to property lost and recovered on the roads or from the toll houses where it lay scattered, now the Author states the law regarding the recovery of gold, &c., which had long been burried in the land, and which last is 15 known as a Nidhi (or treasure-trove)

Yajnavalkya, Verses 34 and 35.

The king having found a treasure-trove should give half to the twice-born. But a learned Brânmana finding (a treasure-trove) may keep the whole, as he is the lord 20 of all. (34).

If a treasure-trove is found by any other, the king should give him¹ a sixth part. If (however) the information is not given (by the finder) and he is found out, the finder should be made to pay a fine. (35).

Mitāksharâ:—The king having found a treasure-trove as aleady defined, half should be given to the Acquisition of a Brâḥmaṇas, and the remainder thrown into the treasure-trove.

treasury. If, however, a Brâḥmaṇa find treasure-trove and he be learned, i.e., accomplished by 30 learning and study, and well-behaved, then he should take the whole; since he is the lord of the whole world.

^{1.} The translation as given above is in accordance the Mitakshara.

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If, however, the treasure-trove is found, itarena, by any other, than either the king or a learned Brâhmana as, e.g., by a Brâhmana who is not learned, or by a Kṣhatriya or such another, the king should give a sixth of it to the finder and himself take the remainder of the treasure-trove. As says Vasiṣḥṭha,¹ "A king who finds property the owner of which is not

* Page 27. known should take it; he should give a sixth part to the finder." Gautama² also "Treasure-trove when found becomes the property of the king; not (however) that which is found by a learned Brâhmaṇa, even a non-Brâhmaṇa finder who announces (to the king) shall obtain one-sixth, so

declare some."

The past-participle anivedita is (used) in the active voice; he who has not given information and who has been found out, i.e., who has been found out as not having given information even to the king. Whoever, having found a treasure trove did not inform the king and was found out by the king, should be made to pay the entire treasure found, and also a fine according to (his) capacity.

If, however, the owner of the treasure-trove himself appears
afterwards and establishes his ownership by specifying the amount of
the rupees, etc., then the king should give him the treasure, (after)
taking for himself a sixth or a twelfth part. As says Manu³—
"From that man who shall truly say with respect to a treasuretrove, 'This belongs to me', the king may take one-sixth or onetwelfth part." The choice as to the (particular) portion is to be
determined by reference to the class (to which the party belongs), the
time (which had intervened), etc.

Viramitrodaya.

The Author mentions as to the second

Yanjavalkya, Verses 34, 35.

30 Raja, 'The king,' upon finding a treasure-trove the owner of which is not known, ardham dwijebhyo dadyat, 'should give half to the twice-born,' and (the other) half he should consign to the treasury. Vidwan, 'learned,' i. e. accomplished by learning and study of the Vedas, twice-

born i.e. a Brâhmana, moreover, having found a treasure-trove, aśesham, 'the whole' i.e. the entire treasure, swayam âdadyât, 'should himself take.' Sa, 'he,' i.e. such a Brâhmana, yatah, 'as', sarzasya prabhuh, 'is the lord of all' i.e. of the world.

That says Manu¹: "Whatever exists in this world is the property of a Brahman; on account of the excellence of his origin the Brahmana is, indeed, entitled to it all. (100). The Brahmana eats his own food; wears but his own apparel, bestows but his own alms; other mortals subsist through the benevolence of the Brahmana (101)." (34).

Itare'na, 'by any other' i. e. by not a learned Brahmana, nidhau labdhe, 'if the treasure-trove is found', raja, 'the king', shashihams'am tharet, 'a sixth part he should' take,' from the treasure-trove.

The past participle in the aniwedita is (used) in the active sense. One who has not given information and who has been found as having taken the treasure-trove, should by the king be compelled to pay the 15 treasure and also a fine according to capacity.

By the expression dâpya eva, 'he must be made to pay,' it has been indicated that he must not be allowed to take even a small portion of the find. The word cha, connects this with the last clause and also is intended to include the twelfth part. So says Manu3: "The man who makes truly an assertion 'this belongs to me,' from him, the king may take a sixth part or a twelfth part." The twelfth part has a reference to one endowed with qualifications. In this connection Vishnu4: "A king, upon finding a treasure-trove, should give half to a Brahmana and the other half he should deposit in the treasury (36). A Brahmana finding hidden wealth should take it himself (37). A Kshatriya should make over a fourth to the king, one-fourth to the Brahmana, and should take a half. (38). A Vaisya should give a fourth part to the king, a half to the Brahmana, and should take one-fourth for oneself. (39). A Sudra, moreover, should devide the find into twelve parts, and should give five parts each to the king, and, to the Brahmana, and take two parts. (40). From one

^{1.} Oh. I. 100, 101.

^{2.} Note the difference between the Mitâkṣharâ and the Viramitrodaya in the interpretation of the word आहें त. According to the Mitâkṣharâ, after giving one sixth to the finder. The king should take the rest. According to V. M. the king should take one-sixth. Śūlapāni agrees with the Mitâkṣharâ.

^{3.} Ch. VIII. 36.

^{4.} Oh. III. 36-41.

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who has not reported the find and who has been found, the king should take the whole (41)." Thus the text of Vasishtha viz. "If he finds property (the owner of) which is not known, the king should take it up, and should give one-sixth portion to the finder", has a reference to a Sudra, in pursurance of the text of Vishuu. (34, 35).

S'ûlapâni

Yâjōavalkya, Verse 34.

The king having found an ownerless treasure-trove deposited a long time ago, should give a half to the Brāḥmaṇas. A learned Brāḥmaṇa, however, should take the whole; he need not give a portion to the king. The Authour states the reason: since of all kinds of wealth he is the master, as says Manu³: "Whatever exists in this world is the property of the Brāḥmaṇa; other mortals subsist through the benevolence of the Brāḥmaṇa." This also applies in the case of a deposit by others.

15 As says Bhāradwāja: "Upon finding a deposit laid by another, one should take it to the king; every treasure-trove must go to the king, of all except the Brāḥmaṇa." (34).

S'ûlapâni

Yajnavalkya, Verse 35.

When a treasure-trove belonging to himself has been found by a 20 Brahmana who is not learned, or by the Kshatriya and others, according to Narada: "The king should take a sixth share;" and according to Manu and others, a small portion is to be taken according to the qualification of the finder. For a deposit not belonging to oneself, however, after giving a sixth portion to the finder of the deposit, the remainder the king should take. As says Vasishtha1: "If one happens to find an ownerless deposit, the king shall take it up, after giving a sixth portion to the finder. If a Brahmana finds it, and he is one who carries on his own duties, then the king should not take." When ownerless wealth, as well as wealth the owner of which was known, was not reported, but came to be known by the king, then that wealth as well as a fine, the taker of the treasure should be made to pay. So Nârada: "Even a Bráhmana upon finding a treasure, should inform the king; what is given by him, he may enjoy; he would be a thief if he does not inform." (35).

^{1.} Ch. III. 13.

^{2.} i. e. who finds the treasurers.

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The Author mentions (the rule) about property taken away by robbers

Yâjñavalkya, Verse 36

The king should pay the wealth taken away by the robbers (and recovered by him from them) to the people of his country; and if he do not pay, he incurs the sin of the robbed as well as of the robbers.

Mitakshara:--Chauraih rhtam, taken away by the robbers, and conquered back from them. Janapadaya, to the inhabitants of his country. Whosesoever that wealth be, to him should it be given by the king; hi, if, i.e., since if, adadat, he do not pay, yasya, whoseso, that robbed wealth may be, he (the king) incurs the sin, tasya, of him, i.e., of the robber. As says Manu,1 " Property stolen by thieves must be restored by the king to (men of) all classes (varna): a king who uses such (property) for himself incurs the sin of a thief. If after recovering from the possession of the thieves he enjoys it himself then he incurs the sin of a thief.2 If, however, he neglects the (recovery of) property stolen by thieves then he incurs the sin' of a citizen. If after trying to recover property stolen by the thief, he is not able to recover it, then in that case he should pay as much amount from his treasury. As says Gautama3: "Having recovered property stolen by thieves, he shall return it to the owner. the property is not recovered) he should pay (its value) out of his own treasury." And also, Krishnadwaipâyana:—"If a king is unable to recover property stolen by thieves, that (amount) should be paid from his own treasury by the king who is (so) unable. "

Here ends the chapter on Special rules of Procedure.

^{1.} Ch. VIII 40.

^{2.} These expressions require an explanation. They supply a good illustration of the terre style (विनासना) of the Author: In the first expression by नोरस्य किल्बियमामोनि, what is intended to convey to the reader is that he incurs the same responsibility and criminal liability as a thief does. While the expression जानपदस्य किल्बियमामोनि 'incurs the sin of a citizen', means that he incurs the same responsibility which a citizen does by not assisting or neglecting the recovery of robbed property.

^{3.} X. 46.47

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Yajhavalkya Verse 36.

Viramitrodaya

In regard to property carried away by thieves, the Author states a special rule

Yajñavalkya, Verse 36.

What was taken by a thief, or property of that kind, after taking it back from the thief-and when that is not possible, even from his own treasury, janapadaya, 'to the people of his country', i.e., to the inhabitants of his territory, deyam, 'should be given'.

By the use of the word tu, 'however', are discriminated the making over to others than the people of his country, and a deduction of a portion 10 for himself according to law. Hi, 'and if', i.e., since, that property which was taken away by the thief if not given back to him to whom it belonged as owner, the king incurs the sin of the thief-i.e., the sin of a kind which is incurred by theft.

That says Manu: "Property stolen by thieves must be restored 15 by the king to (men of) all classes (varnas); a king who uses such (property) for himself incurs the sin of a thief ".

In the Mahabharata also: "If a king is unable to recover property stolen by thieves, that (amount) should be paid from his own treasury by the king who is (so) unable ". (36).

Here ends the Chapter on Rules of Procedure in the commentary 20 on the Smrti of Yajnavalkya

S'ûlapâni

Yâjñavalkya, Verse 36.

What was taken away by the robber, should be restored by the 25 king; since, he to whom that wealth belonged, of him he acquires the sin. If he do not recover that property, he should give from his own treasury. As says Vishau: "What was taken away by a thief, should be recovered and paid in entirety. If not recoverd, from the treasury itself." (36).

Thus ends the Chapter on Judicial Procedure

^{1.} Ch. VIII. 40.

^{2.} Ch. III, 45.

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Chapter III.

On Recovery of Debts.

After expounding the 'Rules of Procedure' in general and particular cases, the Author now expounds the Sevenfold division Chapter on 'Recovery of Debts' the first of the of the Chapter on eighteen titles of law, beginning with the text: recovery of debts. "An eightieth part is the interest", etc., and ending with the text: "The pledge shall be (allowed to be) redeemed after double the principal has been received out of the produce."

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This title of "Recovery of Debts" has seven points (for consideration). (1) The kind of debt which should be paid, (2) the one which should not be paid, (3) by what person should be paid, i.e., by one holding a particular capacity, (4) at what particular time to be paid, (5) and in what way to be paid—in all, five points for the debtor; and for the creditor, two, viz., (6) the mode of advancing a loan as also, (7) the mode of recovering it. This, moreover, has been made clear by Nârada³: viz. "Which debt must be paid, and which may not be paid, by whom, where, and in what way to be paid, and the rules of advancing and of recovering (loans) are said to make up the (title) 'Recovery of Debts".

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Of these the Author states the rule regarding the advance (of a loan) by the creditor, as it is the first of all other points of inquiry).

Yâjñavalkya, Verse 37.

An eightieth part (of the principal) is the interest 25 (allowed) every month when the debt is (secured) by a pledge. In other cases it may be two, three, four, or five per cent, respectively, according to the order and class (of the debtor).

^{1.} Verse 37.

^{2.} Verse 65,

^{3.} Ch. I. 1.

Mitaksharā:—Māsi mási, every month, i.e., month by month. Bandhaka is that which is deposited * Page 28. as a security, i.e., pledge. That which is (accompanied) by pledge is called a sabandhaka, a transaction with a pledge. In such a secured 5 transaction, the interest on money advanced would be one-eightieth part (of the principal), In a transaction according to law. Anyathâ, in other cases, i.e., with a pledge an eighteenth part is in a transaction without a pledge, varnánâm. of the classes, kramena, according to the order, the interest. 10 i.e., of the Brahmanas and others, dwi-trichatuh-panchakam, two, three, four, or five, per cent is according to law. In the case of a Brāhmana debtor two per cent. in that of a Kshatriya three, in a Vais'ya four, and in a S'udra five, and (this) every month. Two, or three, or four, or five 15 (make up the compound word) two-three-four-five. A hundred in which such an interest is given is "a hundred with two-threefour-five." As per the following rules of grammar viz. "The1 affixes, mentioned above2, have also the sense of an interest, or a rent, or a profit, or a tax, or a bribe given thereby or in that,"3 20"The affix Kan (कन्) comes after a numeral when it does not end with ति or शव "5" and the rule to be observed here is the one stated in the Grammatical Sitra I. 1-72 viz, "An injunction6 which is made with regard to a particular attribute, applies to words having that attribute at the end as well as to that attribute itself."7 25

^{1.} Pânini 5-1-47.

^{2.} i. e. Panini V. 1-1-46.

^{3.} Pânini V. 1. 22.

^{4.} e.g. in पंचकम the कम termination.

^{5.} The word $\Im i \pi i \pi$ (see V. I. 63) is to be read into the Sutra, so that the whole Sutra would read by adding, to the portion given above, the following viz:—" The sense of the affix being that taught hereafter upto V. 1. 63."

^{6.} This i. e. the तद्रन्तिशि: (Pânini I. I. 72) is a rule of interpretation. When a rule is made with regard to a particular attribute or letter, it also means words having those attributes or letters at their end. Thus under the rule अची यत् (III. I 97.)—"The affix यत् comes after a root that ends in a vowel" roots ending in vowels as well as roots consisting of a single vowel are included.

^{7.} For a clear understanding of the bearing of these rules upon the text, mark the following observations: The compound word ট্রিন্নির্বেশ্বন

"Interest upon interest is (called) compound interest; it is (called) $K\hat{a}lik\hat{a}$ when it is (payable) per month; it is $K\hat{a}r\hat{i}t\hat{a}$ when it is fixed according to the wish (of the parties); it is Kâyikâ when it is in the form of bodily labour " (the stipulation that) ' the interest in this will be taken every month' is (an instance of) a Kâlikâ. very (species of) interest becomes Kâyikû when it is receivable per day and the period is divided by the calculation of days. Moreover. Nārada1 after stating that "In the Sâstras interest is declared fourfold viz. Kâyikâ, Kālikà (periodical interest), another called Rārikú (stipulated interest), as also the compound interest (chakra wriddhih)" has said :- "Interest" at the rate of one Pana or quarter of a Pana payable constantly and without detriment to the physical health is denoted Kâyikâ interest. That which runs by the month is termed Kālikâ (periodical) interest That interest is Káritá (stipulated) interest which has been promised by the debtor himself. Interest upon interest is called Chakravrddih (compound interest)."

S'úlapâņi

The Author states the rules of interest according to law Yājñavalkya, Verse 37.

Upon a security being taken when a hundred panas are advanced as a loan, an eightieth part i.e. one and a quarter pana every month has been explained and solved as हो ना त्रंग ना &c. (Sk. page 28 lines 4-5). For this the authority is नव्सिन् etc. (V. I. 47.) under which rule the affix is added to a word in the first case (नव्) in construction. The sense of the affix is that of a locative (अस्मन्). Then the कन् ending in द्विचनु:पत्रके is explained by the rule संस्थायाः &c. (V. I. 22.). And lastly by the नव्यनिश्चिः the application of the first rule is extended to all the members of the compound, and thus is brought out the meaning of this compound word as explained in line 6 on page 28.

- 1. Ch. I. 102-104.
- 2. स्वस्वपूर्णप्रदादिका क्रमात is the reading in Dr. Jolly's edition.
- 3. ज्ञान् (S'as'vat—) has the force of constant repetition. Here it may even be rendered as "every day" (see line 9.) कामानिरोधनी—(Kâyâvirodhinî) The translation adopted here is in accordance with the gloss of Bâlambhaṭṭi (see Bâlam. Sk. p. 54 I. 14--15) Brhaspati & Vyâsa (see Sacred Books of the East &c. XXXIII p. 67 note).

Dr. Jolly, however, translates it as—" Without diminishing the principal", and the translation appears to be based on the following gloss by Asabāya, "अय कायोच्यते। द्रव्यिण्डो द्रव्यकाय: तस्याविरोधिनी मूलद्रव्यकायस्याविनाञ्चिती।"

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becomes the interest. Anyathá, 'otherwise' when the money is advanced without security, two, three, and four panas shall be the interest payable by the Bráḥmaṇa and others in the respective order.

Vyasa states a special rule: "In the case of a loan with security monthly interest is declared to be the eightieth part; a sixtieth part when there is a surety; and two per hundred, on a loan without any security."

Bṛhaspati² mentions the kinds of interest: "The Kâyikâ, (by bodily labour), the Kâlikâ, (periodical interest), and next, the wheel interest—

Chakra vṛddhi—(compound interest), the Kâritâ (or stipulated interest), the
hair interest the—Sikhâ—and the interest by enjoyment Bhoga." Kâyikâ
'by bodily labour', e.g. by milking and driving cattle, and such other labour; Kâlikâ, 'periodical' e. g. every month. Interest upon interest is wheel or compound interest; that which was stipulated by the debtor himself is Kâritâ; the hair-interest is that which is taken every day; Bhoga,
'by engoyment' such as the rent of a house, profit, or the fruit of crops &c.

Bṛhaspati³: "Hair interest, bodily interest, and interest by enjoyment shall be taken by the creditor so long as the principal remains unpaid." (37).

The Author mentions other varieties of interest by reference to particular (classes of) debtors

Yājñavalkya, Verse 38 (1.)

Persons (usually) travelling through forests should pay ten per cent, and those who travel by sea twenty per cent.

Mitâksharâ:—Kāntāra means a forest; those who go there, are kântāragáḥ, persons travelling through forests. Those who borrow money by interest and enter dense forests which involves danger to life and property should pay ten per cent and those, who go to the sea, Samudragâḥ, twenty per cent., also per month.

The meaning is this: The creditor should take ten per cent from those who go to the sea, as there is a danger of the loss of the principal also.

^{1.} i. e. fiftieth part. 2. Ch. XI. 5, 6, 7. 3. Ch. XI. 11.

^{1.} Lit. which creates an apprehension about the destruction of life and property.

Now the Author describes stipulated (Kâritâ) interest

Yâjñavalkya, Verse 38 (2)

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Or all should pay what they had agreed to among all classes.

Mitâksharâ:—Sarve vâ, or all, Brâhmanas and other debtors whether secured or unsecured, swakṛtâm, what they had agreed to i.e., promised by them, vṛddhim, sarvāsu jâtiṣhu dadyuḥ, interest among all classes, should pay. Sometimes interest is payable even when not stipulated for. As says Nârada¹: "No interest shall ever be charged on friendly loans, unless there is an agreement to that effect. Even if there be no agreement, interest accrues on such loans after the lapse of half a year."

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For one, however, who goes to another country after taking a loan for use, Kâtyáyana² has laid down a rule thus:—"If one after obtaining a loan for use without returning it goes to foreign lands, that loan of his will be charged with interest after the lapse of a year." For one, moreover, who after obtaining a loan for use and without returning it, even when he was asked, goes to a foreign region, the same Sage³ has laid down the rule viz. "If, one goes out to a foreign region without returning a loan which he had obtained, and which was demanded back, that loan becomes chargeable with interest after the lapse of three months."

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He also, who while remaining in one's own country, does not return a loan for use when asked for, should be made to pay interest by the king from the date of the demand. As has been said! "He, however, who while remaining in one's own land, does not return a loan for use when asked for, should be made to pay interest from that time, even though it was not stipulated and he be unwilling."

^{1.} Ch. I. 108.

^{3.} Verse, 503.

^{2.} Verse, 502.

^{4.} By Kâtyâyana, Verse 504.

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Nârada¹ has laid down an exception to the unstipulated interest, viz: "The price of a commodity, wages², a deposit, a fine which had been fixed, a gift without consideration, a gambling' debt, none of these bear interest unless specially provided for."

5 Avivakshitâh, unless specially provided for, i.e. unless stipulated for.

S'ûlapâņi.

Yajnavalkya, Verse 38.

By a mountainous road or by the sea when one goes out for trade, these when there is no security, should pay ten panas and twenty panas 10 respectively. On account of the contingency of the loss of the principal itself is the payment of larger interest.

The Author mentions another alternative to the rule stated in the text³: "In the order of the Varnas, two, three &c." dadyurweti, 'or should pay &c.'

Yâiñavalkya, Verse 38A.

Interest upon interest is compound interest; interest payable every month is periodical interest $(K\acute{a}lik\acute{a})$. When stipulated by himself, it is stipulated interest $(K\acute{a}rik\grave{a})$. The $(K\acute{a}yik\acute{a})$ is by bodily labour.

This is explained by the statement itself. In some books this 25 verse is not stated.

* Page 29.

Now the Author mentions special kinds of interest by reference to perticular things. The interest on the females of beasts is their progeny itself.

Yâjñavalkya, Verse 39 (first quarter.)

In the case of female beasts the interest is their progeny itself.

Mitâksharâ:—Of the females of beasts, santatireva, progeny itself, is the interest. Such a transaction would be possible in the case of one who is unable to maintain the female beasts and who wishes them to be well-fed and to bear progeny. The creditor will have the milk and labour.

^{1.} Introd. II. 36.

^{2.} भृति, is a better and correct reading. The reading in the print viz. भृति is not correct. 3. Yâjūavalkya II. 37. •

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When something is given as a loan and the loan has remained over for a long time even without recovering any interest, what is the maximum limit for the accumulation of interest in several kinds of properties? (Anticipating this question) the Author proceeds:—

Yâjñavalkya, Verse 39 (second quarter.)

The utmost limit for (the accumulation of) interest is eight-fold in the case of a fluid, and fourfold, threefold, and twofold in the case of cloth, grain and gold respectively (of the principal loan advanced).

Mitâksharâ:—Rasasya, of a fluid, i.e., in the case of oil, ghee, etc., upon which no interest has been Accummulation in received, and the loan has remained standing for the case of fluids etc. a long time, the interest as agreed to by the parties would be accummulating—such accummulation would be ashṭaguṇâ, eightfold, parâ, utmost limit, i.e., 15 cannot accummulate beyond that. Similarly of cloth, grain, and gold, wastradhânya-hiranyânâm, would respectively be fourfold, threefold, and twofold the utmost accummulation.

Vasishtha, however, has mentioned a threefold increase in the case of fluids—"Gold (taking) double (its value on repayment 20 and) grain trebling (the original price). (The case of) fluids has been explained by (the rule regarding) grain, as well as (the case of) flowers, roots and fruit. In the case of these three things which are sold by weight the increase will be eightfold."

Manu³ on the other hand, in the case of grain and also flowers, roots and fruits has mentioned a fivefold increase. "On grain, fruit, wool or hair (and) beasts of burden it does not increase more than five times (the original quantity). S'adah, grain, the produce of the field, such as flowers, roots, fruits, etc.; lavah, wool or hair. the wool of a goat; the hair of the Chamari Cow, etc; wâhyah, beast of burden, the ox, horse, etc., i.e., the accumulation of interest in the case of grain, fruit, wool, or hair and beasts of

^{1.} Oh. II. 44-47.

^{2.} Dr. Buhler translates (Rasah) as flourishing substances,

^{3.} Oh. VIII. 151,

burden does not extend beyond a fivefold (of the principal). There too, the rule should be applied after considering the capacity of the debtor as well as the state of things at the time, such as famine, etc.

This (rule) moreover is to be understood as applicable in the case of one transaction and one payment. If there are separate 5 transactions with different persons, or even if the person is the same but there are different transactions on more than one occasion, gold, etc., would indeed increase as before, even beyond the twofold and and other limits. And even in a single transaction, when the interest is recovered daily, monthly, or every year, and thus it is not² possible that the amount payable by the debtor might become twofold, the amount as made up of the interest recovered before, does certainly increase beyond (the) twofold (limit). As says Manu³ "In money transactions interest paid at one time (not by 15 instalments) shall never exceed the double (of the principal)." "Recovered at one time" is also another reading. Kusida is money utilised for accumulation. Increase of that is Kusida-Vrddhih; (such an increase) does not exceed i.e. does not rise beyond the double, if paid at one time, i.e. lent at one time. It exceeds beyond the double when the dealings are with different 20 persons and give rise to separate transactions.

In the case where the reading is, "recovered once", it should be explained to mean that the interest would exceed the double when recovered in instalments from the debtor every day, every month or every year. Moreover it has even been said by Gautama.—"If in a transaction the loan remains outstanding for a long time, the principal may be doubled." (Here) by the use of the singular number in "a transaction" (prayogasya) an increase beyond the double appears to be intended in the case where the transactions are different. By the use of the expression "outstanding for a long time" (chirasthāne) an increase beyond the double has been indicated in the case where the interest has been recovered in small quantities. (39)

^{1.} See Dugdusa vs. Ramchandra 20 Bom. 611-613.

^{2.} Read हेगुण्यासम्वात् for हेगुण्यसम्वात् 1. 20 page 29 see Bâlambhatti Sk. P. 57. L. 1. 3. Oh. VIII. 15. 4. सङ्दाह्याः 5. Ch. XII. 31.

^{6.} In other words it does forlid capitalisation of interest see Sukhlal vs. Bapu 24 Bom. 305.

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Viramitrodaya

Now, of the Chapters on Vyawahara to be expounded, following Manu and others such as in the text "of these, the first, the Recovery of Debts", first in regard to the recovery of Debts, technically dealt with by Narada' thus: "A debt which must be paid, and that which may not be paid, by whom, where, and in what way to be paid, and the rules as to the advance and the recovery of loans, are said to make up the (title) 'Recovery of Debts, (1) (and) It is called kusida'; because by it is their living (secured) by the money-lenders. (98)" The Author points out the rules of adjustment by the end of the Chapter. There, first the Author States the (rules as to) interest

Yajnavalkya, Verses 37, 38, 39.

Sabandhake rne, 'in a debt by a pledge', the amount invested such as gold, &c., will be liable for two, three, four and five per hundred, respectively in the order (of the classes). Therefore the result is that by a Brahmana debtor who has taken a loan of a hundred of gold, &c., with a pledge, should be paid every month two of gold, &c.; by a Kshatriya, three of gold, &c., by a Vais'ya, four of gold, &c., and by a Sūdra, five of gold as interest to the creditor. Similarly also, by a parity of reasoning, it should be understood that in a debt with a pledge, where an eighteeth part is the interest, for a hundred of gold and the like, less by two mashas, interest should be at two (per hudred) and onwards.

"Even's when there is no pledge, but there is a surety, when it is without transfer, two per cent, per month has been stated". Saṣḥṭabhagah, 'together with its eighth part; of the eighth part, of the eightieth part'; together with that, the eightieth part. Here also in the case of a Kṣhatriya debtor and the like a larger rate is to be understood, by a parity of reasoning.

Kantaragah, 'travelling through forests' for a larger profit; debtors who are in the habit of trafficking through forests and the like places

1. Ch. I. 1.

^{2.} Ch. I. 98. Lending money at interest. Brhaspati (XI. 2) derives this word thus: कुत्सिनात्सीद्तश्चेष निर्विशंके: पगृहाने । चतुर्युणं वाऽष्ट्यणं कुसीदाख्यमनः स्पृतम् ॥ which however is characterised by Dr. Jolly as fanciful. The rule of the Mahomedan law, however, laying a ban against interest is expressive of the same sentiment.

^{3.} For this text, no Author is quoted; nor is the text quoted in full. From the comments of Mitramisra, the word साष्ट्रिक appears to be in the omitted portion. This text has a resemblance with the text of Vyasa which runs thus: सबंधे माग आशीत: बाह्रो मागः सलमके। निराधाने द्विकशतं न्यासलाम उदाह्वनः॥ (see Vyawahara Mayakha p. 75 l. 3).

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shall pay s'atam daśakam, 'ten per cent.', i.e., hundred plus ten. Those of the sea, however, with the object of making big gains being in the habit of journeying over the seas, twenty per cent., i.e., twenty plus one hundred. should pay every month. Thus the conclusion is that for a hundred of gold, those resorting to the forests should pay ten of gold, and the seamen, twenty of gold.

Where, however, a higher or a lower rate of interest than what is stated above has been agreed to between the debtor and the creditor. there, that interest, sarve, 'all', the Brahmana and other debtors, sarvasu jatishu, 'among all classes', as far as the mixed classess of creditors should pay.

Of the hypothecated beasts such as the cow and the like, or women, such as a female slave, &c., progeny itself is the interest for the mortgagor of the cow, &c. Here according to Ratnakara it should be understood that in the case of the mortgagor who is unable to maintain them, the maintenance and the progeny of the cow, &c., and the female slaves, etc., is expected, and of the mortgagee the milk and the service are incidental to the pledge. Others, however, explain that in the case of the cow, the female slave, etc., deposited as a pledge, the owners of the 20 cow, etc., the debtors should pay the interest, and when that is no possible the progeny itself is (to be regarded as) the interest.

Now the Author states the highest rates of interest: Of a liquid. such as clarified butter, etc., when pledged as for a debt, when remaining over for a long time, the interest shall increase upto eight times. By the 25 word pard, 'highest', is indicated that in the case of an increase in the fields, etc., even when it is possible to measure it, it is excluded. Similarly, onwards, of the cloth fourfold, of the grain three-times, and of gold two times is the highest increase.

Here, in connection with the portion relating to increase, Brhaspati2 says: "Interest has been declared to be of four sorts; by **30** others it is stated to be of five-kinds; and by others still, it has been declared to be of six kinds. Learn these by their characteristics: Kâyikâ (bodily interest); and the Kâlikâ (periodical interest); similarly also Chakravrddhih (compound interest) is another; then the Karita (stipulated interest), S'ikhavrddhih 'hair interest', and similarly also the Bhogalabha, interest by enjoyment. Of these, the characteristics and

^{1.} i. e. although the object pledged, may actually increase more than eight-fold, and although it is possible to assess such increase, any higher amount is excluded by this rule.

^{2.} Ch. XI. 4, 5,

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other details, out of fear for prolixity, are not being expouded here, but should be followed in other Smrtis1.

Here interest at the eightieth part and the like rate has been stated to be legal interest, since Manu² has stated: "By taking two or three per cent, one does not become a sinner³ for gain." By swakrtâm, 'what was agreed to by himself', there will not be a higher interest than what was stipulated for. That also is legal. More, however, would be against the law.

Hârita also, "For twenty-five purânas,4 the interest for a month is eight panas; thus it holds on for two months or four months until it reaches the double, where it stands; this is legal interest; by this, one does not swerve from the law," 'ceaches the double', i.e., becomes double; where it stands', i.e., does not increase more than that. The legality is in regard to the aforestated interest always for Vais'yas. The word &di indicates that it holds in the case of others also.

Compound interest and the rest are certainly illegal. So says Brhaspatic: "The use (of the pledge) after twice (the principal has been realised), and the compound interest also which is exacted, and also the original principal together with interest, that is usury, and is reprehensible."

In regard to the highest interest, Manu⁷: "In many transactions, interest paid at one time, shall never exceed the double (of the principal); on grain, fruit, wool or hair (and) beasts of burden it must not exceed five times (the original principal)." 'Fruit', i.e., the crop. 'Wool or hair', what may be cut, sheared, such as hair, other than those of the sheep. "For gems, pearls and coral, for gold and silver, for the products of fruit, or of an insect, or for wool, the interest stops when it doubles the debt", vide the text of Kâtyâyana⁸: "Kaiṭam, 'or insect', i.e., produced from an insect.

Gautama: "Interest on products of animals, hair, on products of 30 a field, and on beasts of burden, (shall) not (be) more than five times

^{1.} Note e. g. the following from Brhaspati XI. 6, 7, 8. कायिका कर्भसंयुक्ता मासप्राह्मा तु कालिका । युद्धेर्युद्धिश्वकवृद्धिः कारिता ऋणिना कृता ॥ प्रत्यहं गृह्मते या तु शिखावृद्धिग्तु सा स्पृता । गृहात्तीषः शदः क्षेत्राद्धोगकामः प्रकीतितः ॥ शिखेव वर्धते नित्यं शिरन्छेद्दान्तिवर्तते । मूले दत्ते तथैवेषा शिखावृद्धिग्तु सा स्पृता ॥

^{2.} Ch. VIII. 143.

^{3.} Does not expose himself to the charge of usury.

^{4. &}amp; 5. Both are coins, severally valued at 80 cowries and otherwise.

^{.6.} Ch. XI. 12.

^{7.} Ch. VIII. 151.

^{· 8.} Verse, 510.

^{9.} Oh. XII. 33.

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(the original)." 'Products of animals', other than ghee, such as milk, etc.

"For all sorts of oils, and for the different kinds of spirituous liquors, and on clarified butters, the interest has been declared to be octuple, as also for molasses and salt" vide the text of Kâtyâyana'.

Brhaspati: "On precious metals, the interest may make (the debt) double; on clothes and baser metals, treble; on grain, quadruple has been declared; so also on vegetable products, beasts of burden, and wool or hair". 'Vegetable products', products of the field, other than corn, such as fruit, etc. Also's: "It has been stated to be quintuple on pot-herbs; sextuple on seeds and sugar-caue; and on salts, oils and spirituous liquors, the interest has been stated to be octuple; also likewise on raw sugar and honey, if the transaction be of long-standing."

In the case of corn, the mention of a double and various other rates is to be determined by regard to the price (into money). Thus, at the time of the advance, before the appearance of the crop a particular kind of price, if after the appearance of the crop it is reduced a little, then double, in case it is reduced even more than that, treble, further more than that, quadruple, and further on, at the utmost reduction, quintuple, it becomes.

However all this statement about the increase of interest is by weight only, in accordance with the text of Harita: "In course of time, double the quantity of grain increases as if treble." Or, in the order of the varnas are the four kinds of increase to be adjusted. According to the S'ishtas: "If the grain becomes treble, according to the time and prosperity". In the case of beasts of burden, etc., by regard to the difference in the price, time, and the place, the different rates of interest are to be settled. Thus enough of prolixity.

Now the prohibitions regarding interest⁴: "The price or value of a commodity, wages, a deposit, a fine, what has been usurped, etc. What has been idly promised, and what has been won at stakes at dice; these do not yield interest, except under a special agreement (to that effect)", 'a commodity', i.e., a saleable commodity; 'wages',

^{1.} Verse, 511.

^{2.} Oh. XI. 13.

^{3.} Oh. XI. 14, 15.

^{4.} Nârada II. 36.

^{5.} आमिहारिकम् other readings are (1) यञ्चावरकम्—'what has been abandoned (by one and found by another); Dr. Jolly's edition (2) यश्च मकल्पित: (a fine) which has been ordained (V. Mayūkha).

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i.e., salary; 'usurped', i.e., obtained by fraud, deceit, etc.; 'an idle promise', a donation without regard to dharma; 'by dice', in the course of gambling what is staked; these, unless specially agreed upon, i.e., where interest has not been determined upon, do not increase.

Kâtyâyana: "On hides, crops, wines, and one's gambling debts, price of commodities, always in all these, and on the bride-price of women, there can never be interest; as also on debts incurred as sureties". Incurred as sureties, for a surety made liable for payment on account of suretyship.

Samvartah: "No interest can be charged on woman's property, on profits, and on a deposit remaining ambiguous, also for a suretyship, if not specially stipulated". Vyâsa: "Suretyship, a pledge which has been fully enjoyed, (and) money not accepted even though tendered, do not carry interest against one who has approached; (as also) a fine, and a bride's price which had been promised". 'Of one who has approached', i.e., of the debtor who is under the control of the creditor—which the Author himself states hereafter by the text²: 'When tendered, does not accept, etc.' (37, 38, 39).

S'ûlapâni.

Yâjñavalkya, Verse 39.

When a she-goat and the like, or a female-slave and the like, are pledged as security, and no other interest is possible, their progeny itself is the interest. In the case of oil &c., when pledged for interest, the utmost interest is octuple together with the original i. e. the additional interest. In the case of clothes &c., in the order of enumeration, quadruple, treble, and double is the utmost interest.

As to the text of Brhaspati³: "On gold, the interest may make double; on clothes and base metals treble; on grain, it is stated to be quadruple, and so also on edible plants, beasts of burden, and wool or hair", that is to be explained, by regard to a long standing loan and a loan of short duration. Śadah, 'edible plants' i.e. the fruit of trees &c. Wáhyo, 'beasts of burden,' such as a bullock and the like. Lavah, 'hair,' such as the Châmara &c. (39).

Rules regarding loan transactions have been laid down (above). Now follow the rules regarding the recovery of property advanced as a loan

Verse, 508.

^{2.} Yajn. II. 44.

^{8.} Oh. XI. 13.

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Yâjñavalkya, Verse 40.

One (a creditor) would not be blamed by the king for trying to recover an acknowledged debt; and if the debtor complain to the king while the debt is being recovered from him, he should be fined and made to pay (back) the loan.

Mitâksharâ:—Prapannam, acknowledged i. e. money admitted by the debtor, or proved by means of witnesses &c; sâdhayan, trying to recover, i. e. a creditor recovering by Dharma and such other means; nṛpaterna vâchchyaḥ, would not be blamed by the king i. e. will not be prevented.

The Dharma and other means have been pointed out by Manu¹: "By moral suasion, by a suit at law, by deceit, or by starvation², a creditor may recover property lent, and fifthly also by force."

By moral suasion, Dharmena, i. e. by affectionate words and a straight talk. By a suit at law (Vyawahârena) i.e. Means of recover- by such means as witnesses, documents &c. By ing a loan advanced. deceit (chḥalena) e. g. by taking ornaments &c. under the pretext of some ceremonial celebrations &c. By starvation (acharitena), by abstaining from meals. By the fifth, viz. by force i. e. by imprisonment with iron fetters &c. (i. e. to say) money advanced for accumulation (of interest) should be recovered to oneself by these means.

By saying "For trying to recover an acknowledged debt" the Author indicates that he should be prevented by the king, from recovering a debt which has not been acknowledged by the debtor.

^{1.} Ch. VIII. 49.

^{2.} आचिरितेन च is another reading. Dr. Buhler translates it as a customary proceeding, which he describes as—killing one's (?) wife, children, and cattle and sitting at the debtor's door, or by the creditor's starving himself, to death. This is based on the following text of Brahaspati cited by Kulluka:—
"वार्युत्रपद्धन्हत्ना इत्या द्वारोपवेशनम्। यत्राधी दाण्यतेऽधे स्व तदाचरितमुच्यते" ॥ It will be clear that this is the process of sitting Dharana or making the Trågå and it is doubtful how far it deserves the exalted name of "A customary procedure." In this ▼iew अचरितेन = अमोजनेन (by starvation) is a better and more expressive reading.

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This very thing has been made clear by Kâtyâyana¹ thus: "A creditor who harasses a debtor who is demanding a trial, shall forfeit his claim and pay an equal fine".

Where, however, a claim has been (made to be) admitted by Dharma and other means, and if then while the amount is being demanded or recovered, the debtor goes to the king and complains against the creditor for trying to recover his due, that debtor becomes liable to be punished with a fine according to his capacity; and, moreover, he is made to pay the amount to the creditor. The modes of compulsion by the king have been thus indicated: "The king should make a Bráhmana pay the creditor only by gentle persuasion, others according to the usage of the country. The wicked should be made to pay by compulsion. An heir and a relative also should be made to pay by recourse to deceitful tricks". The text: "If the debtor complain to the king while the debt is being recovered", should also be understood as a counter-illustration of the text: "In a way which is a violation of the (law of) Smrtis and usage." (40)

Viramitrodaya.

Now the Author describes by four verses the process of recovering debts

Yajñavalkya, Verse 40.

Prapannam, 'acknowledged', i.e., admitteed by the debtor; artham, 'debt'; sådhayan, 'trying to recover'. 'By moral suasion, by a suit at law, by artful management, or by starvation, a creditor may recover property; and fifthly also by force' by the methods as thus stated above by Manu, when recovering back, the creditor, napater na vachyo bhavet, 'should not be blamed by the king'; i.e., will not be prevented by the king.

Stadhyamanah, 'while the recovery is being made', i.e., by the method stated being applied against him, with a view to ward it off.

rrpam gachchhan, 'going to the king', the debtor when not

^{1.} Verse, 589.

^{4.} Yajñ. II. 5. (See p. 645, 11, 19-20).

^{5.} Oh. VIII, 50,

inc pacitated should be fined and should be compelled to pay the amount to the creditor. By the use of the word cha, 'and', is added that even though without making a complaint to the king, he does not pay the amount through turbulance, etc., the debtor should be compelled to pay the amount, and should be punished also. (40).

S'ûlapâņi.

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Yâjñavalkya, Verse 40.

While a creditor is trying to realize an admitted claim, if the debtor complains to the king, he should not be charged thus viz. "How do you do this?" When the debtor is being compelled by force, and he complains to the king, then he should be compelled to pay the amount to the creditor, and the penalty should be taken by the king himself. (40).

When several creditors appear simultaneously, against a debtor who is one only, in what order should he be made to pay by the 15 king? (Anticipating this question) the Author says:—

Yâjñavalkya, Verse 41.

A debtor should be made to pay his creditors in the order of the receipt of the loans; after paying off a Brâhmana (creditor), then alone the ruler of men (should be paid).

Mitâksharâ:—When the creditors are of the same class, the debtor should be made to pay, by the king, the creditors in the same order in which the loans were taken. When, however (the creditors) belong to different classes, the Brâhmana (should be paid) first, and then the rest in order. (41)

Viramitrodaya.

When there are several creditors, in what order should he be made to pay the debt? So the Author says

Yajnavalkya, Verse 41.

Among creditors of different castes, first having given to the Brahmans, although incurred after, that of the Kshatriya, and thus circumstanced he should be made to pay the debt to a Vaisya. There also, the special point, by a parity of reasoning, is that after paying the Vais'ya, then the debt of the Sadra should be ordered to be paid. Of a

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learned Brahmana, as also of a king the debt should be paid even without paying any other debt excepting that of a Brahmana.

That says Kâtyâyana': "But when there are several debts, whatever is incurred first, should be paid first, but that owing to a king should be paid after that owing to a learned Brāhmana (514). Where several loans are incurred on the same day, in such a case one should put the debt on an equality, as far as the acceptance, maintenance, and profit are concerned; otherwise, however, in the order, (513). When a creditor established that a particular commodity was secured with his money, that money should be paid by the debtor to him alone and not otherwise (515)". The king's debt should be paid even before that of the learned Bráhmana, having regard to the order stated in the text². (41).

S'ûlapâni.

Yâjñavalkya, Verse 41.

When there are several creditors, the debtor should be ordered to pay the debts in the order of their acceptance. When the Bráhmana and the Kshatriya claim together, the Bráhmana's should be paid (first) although incurred later, and afterwards should be paid those of the Kshatriya and others. (41).

When, however, a creditor is weak and unable to recover an acknowledged claim by Dharma and such other means, and the amount is recovered (for him) by the king, in such a case the Author mentions a fine for the debtor and payment of costs by the creditor

Yâjñavalkya Verse 42.

A debtor should be made to pay by the king to himself ten per cent of the amount recovered; and a creditor who has won his case should be made to pay five per cent.

Mitâksharâ:—Adhamarnikah, the debtor, râjñâ, by the king, sâdhitât, of the money recovered, from the amount acknowledged; das'akam s'atam, ten per cent; dâpyah, should be made to pay. The king should take from the debtor in the shape of a fine, a tenth portion of the amount recovered from the acknowledged amount. This is the import.

^{1.} Verses, 514, 513, 515.

^{2.} This remark is not intelligible, for the पाठकम is quite the reverse. The reading should be भोतियस्य पश्चात् and not भोतियात्याङ्, as it is,

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A creditor, however, praptarthah, who has won his case, dapyah, should be made to pay, panchakam s'atam, five per cent, in the form of costs. The meaning is that the king should take a twentieth portion of the amount recovered by way of costs. In the case of a realisation where the debt is not acknowledged, the distribution of fine has been indicated in the text: "Where, upon a denial (by the defendant) a claim is proved, etc." (42).

Viramitrodaya.

When even an admitted debt the creditor is unable to recover, and if he recovers through the king, then a twentieth part should 10 be taken by the king from him; while stating this itself, the Author states the amount of the fine for the aforesaid debtor

Yâjñavalkya Verse 42.

Rajāā, 'by the king', sādhitāt, 'of recovered', i.e., made to pay, daśakam śatam, 'ten per cent', to himself, the debtor should be compelled to pay. In short, if one hundred gold are recovered, ten gold should be compelled to be paid. The creditor also who has secured his claim should be made to pay to himself by the king five per cent, that is to say, for a hundred of gold, five of gold should be caused to be paid.

By the word tu, 'however', is separated the payment first to the creditor when obtained. By the word api, 'even', if penalty do not exist as a motive cause, it is suggested that the payment is meant as indicative as a means (of the recovery). At some places, the reading is hi. There also the same is the sense. (42)

S'ûlapâpi

Yajnavalkya, Verse 42.

If the debtor who in the court having denied the claim by declaring "I do not owe", afterwards admits, he should be compelled to pay to the king at ten per cent from the established claim as a fine. (42).

The rule as to a wealthy debtor has been mentioned. Now 30 the Author mentions a rule in the case when the debtor is poor

Yâjñavalkya, Verse 43.

An insolvent debtor of a lower class should be made to work for his debt; a Brāhmaņa insolvent, however,

^{1.} Yajñ. 11. 11. (See p. 686. l. 33-34.)

should be made to pay by instalments according to his gains.

litákṣharà:—A Bráḥmaṇa creditor and others (belonging to superior classes) should, for a debt, ṛnārtham,

About a pauper i.e., for the discharge of a debt, cause the debtor of a lower class such as the Kṣhatriya and others who has become parikṣhiṇam, insolvent, i.e., moneyless, to do their usual karma, work, i.e., agreeably to (the usage), kārayet, should be made to do, of their caste and without detriment to (the interest of) their family. A Brâhmaṇa, however, if insolvent, i.e., moneyless, should be made to pay, s'anaih s'anaih, by instalments, yathodayam, according to his gains, i.e. according as may be possible.

* Page 31.

Here the reference to a lower class is indicative also of an equal class; and therefore a debtor of an equal class also, if insolvent, should be made to do the work which is proper for him. The mention of a Brâhmana is also indicative of the superior class, and therefore Kshatriyas and others though insolvent should be made to pay their Vais'ya and other creditors (of a lower class), by instalments and according to their ability. This very thing has been made clear by Manu: "Even by personal labour shall the debtor make good (what he owes) to his creditor, if he be of the same caste, or of a lower one; but a (debtor) of a higher caste shall pay it gradually." The meaning is that the debtor should by his conduct so transform himself into a position that the distinction of a debtor and creditor would become extinct. (43)

Viramitrodaya.

The Author states a rule in regard to a poor debtor

Yâjñavalkya, Verse 43.

Hinajatim, 'of a lower class', i. e. not of a higher caste than that of the creditor, such a debtor parikshinam, 'insolvent,' i. e. money-less, with a view to the liquidation of the debt, the creditor should cause karma, 'work' as desired by him, such as agriculture,

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^{1.} Ch. VIII. 177.

Viramitrodaya.

Now, a debt, what kind should be paid by whom, and by whom also it should not be paid, the Author states that by seven verses

Yâjñavalkya, Verse 45.

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Aribhaktaih, 'by the undivided members', such as the brothers, father, ect. Kutumbasya, 'of the family' inecessity such as maintenance &c., arthe' 'purpose,' for the maintenance (of the family), yadrnam krtam, 'what debt has been incurred', tat, 'that' debt, rkthinah, 'the co-parceners', i.e., the undivided brothers and the like all, kutumbini, 'on the manager of the family' i.e., the person who incurred the debt for a family purpose such as the father &c., prete, 'when dead', or proshite, 'has gone abroad', dadyuh, 'should pay'.

By the use of the word tu, 'however', is excluded a debt which has been incurred for a special purpose of his own, and which must be paid by him¹ only, and not by others i.e., the co-parceners. (45).

S'ûlapáni.

Yâjñavalkya, Verse 45.

Of the members living jointly, such as the uncle, nephew &c. by one if a debt is incurred for a family purpose, when that member has 20 gone abroad or is dead, that debt, these should pay.

Manu' says that what was contracted for the joint family, must be paid even by the divided members: "If the person contracting the debt be dead, and the money was appropriated for the purpose of the family, such must be paid by the members themselves even though separated." (45).

The Author states by an example by whom (a debt) should be paid

Yâjñavalkya, Verse 46.

A woman need not pay a debt incurred by her husband or son; nor a father that (incurred) by the son; of except when it is (contracted) for family purposes, nor likewise a husband that of the wife.

^{1.} Thus a mortgage by a manager or even a father for starting a new business does not bind the others. Benares Bank Ltd. vs. Hari Naren 54. All 564; Guru Mukh Singh vs. Shiv Ram 17 Lah, 53. Sabha Chand vs. Sambhu 39 Bom. L. R. 118.

^{2.} Ch. VIII. 167.

Mitâksharâ:—A debt Patyā, incurred by the husband;
yoshit, the woman i. e. the wife, should certainly
A debt that not pay; putreṇa kṛtam, that contracted by
need not be paid. the son, yoshit, the woman i. e. the mother should
not pay. Similarly, a debt incurred by the son, 5
the father need not pay. So the husband need not pay strīkṛtam,
that contracted by the wife. The clause kutumbārthâdṛte,
except when it is (contracted) for family purposes, qualifies all.

And therefore by whomsoever a debt is incurred for a family purpose that should be paid by the head of the family. In 10 his absence, it should be paid by those who are entitled to take his share. This has already been said¹.

Viramitrodaya.

The Author connects the aforestated rule with both

Yajnavalkya, Verse 46.

Patiputrābhyām kṛtam, 'by the husband and the son, incurred', a debt, yoṣhit, 'the woman', either the wife or the mother of the person contracting the loan, should not pay back to the creditor. Putreṇa Kṛtam ṛṇam, 'a debt incurred by the son', the father need not pay. Striyā, 'by a woman', i.e., by the wife, similarly, unless incurred for a family purpose, the debt a husband need not pay. This is by implication². As says Viṣhṇu³: 'Nor what was contracted by a woman, either the husband or the son (should pay)'. (46).

S'ûlapâṇi.

Yajnavalkya, Verse 46.

So Brhaspati: "A debt incurred by the son, may be discharged by the father, if agreed to (by him); or he may make (the payment) out of affection for the son; not otherwise." (46).

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^{1.} Verse 45 above p. 783.

^{2.} उपलक्षणम्—Implication-स्वप्रतिपादकरवे सति स्वेतरपातिपादकरवम् Implication of something in addition of any similar object when any one is mentioned; a part for the whole, or an individual for the species, or of a quality for that in which the quality exists. Apte.

^{3,} Ch. VI. 32,

The Author will say further on that a debt should be paid by sons and grandsons. He mentions by anticipation an exception to the rule

Yâjñavalkya, Verse 47.

- That which was contracted for the purposes of spirituous liquor, lust, or gambling, or which is due as the balance of an unpaid fine or toll, as also a gift without any consideration the son should not pay (such) paternal debt.
- Mitâksharâ:—A debt which was contracted² for drinking surâ, spirituous liquor. Contracted for kâma, lust, i. e. brought about by a passion for women. In dyûte, gambling i. e. brought about by a defeat (in it); dandasulkayor, avas'ishtam, the balance due from a payment of fine or bride-price. Idle gifts vrithâdânam, gifts without consideration, what has been promised to rogues, bards, wrestlers &c. As it has been said: "What has been given to a rogue, a bard, a wrestler, a quack, a liar, and a cheat, and to swindlers, itinerant singers and dancers and to thieves bears no fruit."
- 20 * Page 32.

Such a debt, when incurred by the father, the son and others should not pay *i. e.* to the vintner and others.

Here from the use of the word 'balance' in the text "a balance of an unpaid fine or toll" it should not be supposed that the entire amount is to be paid. As Aus'anasa has said: "A son should not pay a fine or the balance of it, the (amount of the) toll or its balance, and also whatever is not legal or capable of being recovered by a suit." It has also been said by Gautama4: that "(money due from a father on account of) a debt incurred for spirituous liquor, or a sulka5, or in gambling, or for amorous pleasures

^{1.} Verse 50 p.

^{2.} द्वरापनिन i. e. द्वरापनिय Here the Instrumental has the force of the Dative. The instrumental denotes the हेतु under the ब्या. सू 'हेते।' 2-3-23. The example given in the कीमुदी is अध्ययनेन नसति—where अध्ययनेन is equivalent to अध्ययनाय।

^{3.} अन्यवहारिकम्—see Durbar Kachar Odha Lal vs. Kachar Harsar 32 Bom. 348 and cases cited in Gharpure's Hindu Law (1931 Ed. p. 232).

Where the liability of the father arose under a criminal offence e.g. thept Or. misappropriation Mahabir Prasad vs. Baldeo Singh 6 All. 234. Toshan. Pal Singh vs. D. Cf. Agra 61, I. A. 350.

^{4.} Ch. XII. 38.

^{5.} Haradatta—interprets Śulka as bride-price. " ग्रुल्कं प्रतिश्रुत्य विवाहं इत्वा इते तत्युत्रं न तच्छुल्कमभ्याभवाति ।." sûlka also means a tax, toll &c.

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as also a fine shall not involve a son". The meaning is that they do not devolve upon a son. By this (text) a debt which should not be paid has been mentioned.

Viramitrodaya.

Even a debt incurred by the father, sometimes need not be paid; that the Author states

Yâjñavalkya Verse 47.

For Surâ 'spirituous liquor', and like causes, krtam, 'contracted', dandam, 'fine', or śulkam 'bride-price', as also the balance of it. Of the three words is formed the Dwandwa compound as if it is a single word. Vrthâ, 'idle', without regard to dharma, what was promised to be given—all this (kind of) debt paitrkam, 'incurred by the father', iha, 'here', i e., in satisfaction of a proceeding started in this world, putro, 'the son', na dadyât, 'need not pay'. For the father's emancipation in the other world, however, he may pay at his option.

By the use of the word eva, 'also', is excluded the non-payment of what was promised by the father for a religious purpose, vide the text of Kâtyâyana': "Whether while at ease or in distress, when a gift has been promised for a religious purpose, and the donor die without completing the gift, his son should be compelled to make it good; of this there is no doubt."

By the use of the word tatha, 'similarly', are included merchandise, etc., mentioned by others, so says Gautama2: "Sons need not pay a surety debt, a debt incurred in trade, the bride-price, drinking and gambling debts, as also a fine." 'Surety debt', i.e., an obligation incurred as a surety for appearance, or surety of assurance.

Brhaspati³: "A debt incurred for spirituous liquor, or a gambling debt, an idle gift, a promise made under an amorous influence, or in wrath, a surety debt, or the balance of a fine, the sons should not be compelled to pay." Vyasa: "The fine or the balance of a fine, the bride-price, or a balance of it need not be paid by the son, as also na vyawaharikam, i.e., that which is not incurred in accordance with law." na Vyawaharikam, 'not incurred according to law', which is excluded by the law, such as that which was caused to be entered into under compulsion.

1. Verse 566, or 654, 2. Ch. XII. 38, 3 Ch. XI, 51,

Kátyáyana¹ explains what is incurred under an amorous influence or in wrath: "Whether under a writing or even without it, what was promised, must be paid. What is promised to a woman of another should be known as a debt incurred under an amorous influence (564). Where after causing injury in anger or having caused destruction of property, what was promised by way of pacification, that should be known as a debt incurred in wrath" (565).

Here, by the mention of a fine, comes to be included its balance: its repetition again, therefore, is intended to indicate that such should 10 be made in the case of a very large fine; a small balance, however, need not at all be paid. According to Ratnakara it is deducible that in the case of a small fine even the entirety need not be paid. (47)

S'ûlapâni.

Yâjñavalkya, Verse 47.

The father's debts (incurred) for drinking spirituous liquor or for 15 sexual intercourse with women belonging to others, incurred for gambling, as a penalty; the son should not pay. What has been admitted by the father as a debt to be paid is the 'father's debt'. A mother's debt the son need not pay. (47).

The Author mentions an exception to the text2 "Nor a 20 husband that of the wife."

Yâjñavalkya, Verse 48.

The debt of the wife of a herdsman, vintner, dancer, washerman or hunter should be paid by the husband; since their livelihood depends upon them.

Mitâksharâ:—Gopah, herdsman i. e. a saundikah; a vintner i.e. a liquor-manufacturer; s'ailushah, a dancer, i. e. an actor; rajakah, a washerman i. e. a dyer of clothes; wyâdhah, a hunter i. e. pursuing the game.

30 By the wives of these whichsoever debt is incurred that should be paid by the husbands Yasmat, since, vrittih, their livelihood i. e. living; tadâs'ryâ, depends upon them, i.e., dependent upon women.

^{1.} Verses 564, 565.

^{2.} Yâjñ. II 46 page 784. ll. 28-29 above,

By specifically mentioning the reason (of this rule) viz. "since their livelihood depends upon them" it appears that others also whose livelihood depends upon women should also pay a debt incurred by the wife.

Viramitrodaya

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'Not the husband, that contracted by the wife, similarly'; thus it has been said'; the Author mentions exceptions to this

Yājnavalkya, Verse 48.

Gopah, 'herdsman' î. e., a cowherd; śaundikah, 'a vintner', i. e., a liquor-manufacturer; sailūṣho, 'a dancer', i. e., an actor; rajako, 'a washerman' i. e., a dyer of clothes; vyūdho, 'a hunter, i. e., one who subsists on hunted animals; the wives of these 'tūsūm raṇam' their debts'; patir dadyūt 'the husband should pay'; since, teṣhūm, 'of these', i. e., of the cowherd and the rest, vṛttir, 'livelihood', i. e., maintenance, tadūšrayū, 'depends on them', i. e., is dependent on the wives.

Here the statement of the rule having been made with the statement of the reason, it appears that others also whose livelihood depends upon their wives, such as the fisherman, potter &c., should pay the debts contracted by the wives. (48)

S'ûlapâṇi.

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Yajnavalkya, Verse 48.

On account of the rule having been stated together with the reason, the wives of foresters &c. also are included. (48).

The Author mentions the exception to the rule that "A wife should not pay a debt incurred by the husband1."

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Yâjñavalkya, Verse 49.

A debt agreed to by her, or which was contracted by her jointly with the husband, or by herself (alone), should be paid by a woman. A woman is not bound to pay any other debt.

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Mitakshara:—By the husband who was either dying or proceeding on a journey, pratipannam, a debt A debt which which was agreed to, on being charged or was agreed to enjoined, such a debt of the husband, deyam, should be paid. Likewise a debt which was incurred by the wife, patya saha, jointly with the husband, even that, should be paid by the wife in the absence of the husband, when she is sonless. So also a debt which was incurred swayameva, by herself alone, should even be paid (by her).

It may be said:—"It need not be mentioned that the three kinds, such as a debt agreed to by the wife, &c., should be paid by her"; because there exists no doubt about it.

The answer is that on account of the text³: "A wife, a son, and a slave—all the three are considered to be incapable of having property; whatever they acquire becomes the property of him to whom they belong", they are without any property; and a doubt may be created about the non-payment of agreed debts, &c., and hence the text: "A debt agreed to by a woman should be paid by ler" has been mentioned. Likewise the text referred to above does not lay down the incapacity of women and others to hold property; inasmuch as the object of the text is to argue their dependence alone. Moreover, this will be made clear in the chapter on Partition.

It may also be said:—"Then it need not have been said that 25 a woman is not bound to pay any other debt," because the non-liability

I. The Translation given here is in accordance with the two glosses viz., Bâlambhatti and Subodhini. The better rendering of the Mitakshara would appear to be as follows: "That which was assented to by the wife acting under the wish of her husband who was either in a dying condition or was about to set out on a journey." This would make it a debt incurred by her but for and on behalf of her husband. The two glosses appear to indicate it as a debt incurred in the first instance by the husband, but of which the liability was subsequently undertaken by the wife when the husband was on his death-bed or about to set out on a journey.

^{2.} i. e. about her liability to pay, on account of the agreement.

^{3.} Manu VIII. 416.

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for other debt follows from the principal rule itself.¹ To this the answer is that it is mentioned as an exception to the general rule contained in the text.¹—"A debt agreed to by a woman should be paid by her, as also that which was contracted by her jointly with the husband." The purport is that anyat, any other, bad debt, covered by the text² "a debt incurred for spirituous liquor or for amorous passion, &c." should not be paid even if it had been agreed to or contracted jointly with the husband.

Viramitrodaya

'Not's the wife, (a debt contracted) by the husband or the son', ending with this, it has been stated that a wife need not pay a debt contracted by the husband; there, the Author states a special rule

Yâjñavalkya, Verse 49.

A debt contracted by the husband, for whatever reason, what has been pratipannam 'acknowledged,' i. e., admitted by him as repayable by himself, that, or that which was jointly contracted along with the husband, or what was contracted by the wife herself, that must be paid by the wife; no other debt is a woman bound by pay.

'By the husband'—this includes by implication, 'by the son' also. As says Kâtyâyana: "contracted along with the husband, or the son, or incurred solely by herself." Nârada⁵: "Not the wife should pay what was contracted by the husband, similarly that contracted by the son. Or if by a husband on the point of death she is requested—'Oh dear, pay this,' then even if not acknowledged, she should—if the woman has taken (his) wealth." (49)

S'ûlapâni.

'Not³ the wife &c,' to this the Author states an exception Yâjñavalkya, Verse 49.

By the words yad, wá &c., 'or that which &c.', vide the text of Kâtyâyana': "With the husband, or along with the son &c.". 30 Kâtyâyana': "By a husband who was about to die, when a woman was charged thus: 'This debt should be paid by you", even though not agreed to, she should be made to pay if she is possessed of wealth". (49).

^{1.} ie. the one contained in the first three quarters of Yājñ. II. 49.

^{2.} Yājū. II. 47. 3. Yājū. II. 46. 4. Verse, 546.

^{5.} Ch. V. 16. also see Kâtyâyana Verse 547. 6. Verse, 547.

The Author mentions again the threefold classification, viz. what debt should be paid, and at what time also, and when should it be paid

Yâjñavalkya, Verse 50.

When the father has gone abroad, is dead, or is immersed in difficulties also, his debt should be paid by the sons and grandsons; in case of a denial, when established by witnesses.

Mitākṣharā:—If the father, without paying a debt which is payable, pretah, be dead, or is gone to a distant A debt payable country, or is attacked by an incurable disease by sons and and the like, then the debt incurred by him when grandsons.

made known, (should be paid) by the son or the grandson; and even when there exists no property of the father, in their capacity as son and grandson.

Here the order (to be observed) is also thus: in the absence of the father, the son, in the absence of the son, the grandson. When the son or the grandson, ninhave, set up a denial, a debt, krte, proved by (the plaintiff creditor) sakshibhavitam, by means of witnesses, and others should be paid by the sons and grandsons. This is the (order of) construction.

* Page 33.

Here the text says only so much, viz. "When the father has gone abroad." The particular interval, however, should be allowed as mentioned by Nârada¹: "Where the father, uncle, or the eldest brother has gone abroad, the son (nephew or yonger brother) is not bound to pay his debt before the lapse of twenty years." And even in the case of death, he should not pay before he reaches the age of majority. After reaching the age of majority, however, he should pay. That period, moreover, has been indicated by the same Author² "Up to the eighth year, a child is viewed in the same light as one in the embryo. A youth who has not reached the age of sixteen, is called a Pauganda. After that he is (considered as) a major and is independent in the absence of his parents."

^{1.} Ch. I. 14.

^{2.} Nārada Ch. I, 35-36.

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Although after the death of the parents he becomes independent even though a minor, still he does not become liable for (the payment of) debts. As has been said1: "One, who though independent, has not yet attained (the age of) majority is not liable for a debt. For it has been laid down that (real) independence belongs to the senior; (and) seniority is determined both by capacity and age." Similarly a prohibition against an arrest or summons is also noticeable vide2: "One who has not arrived at years of discretion, a messenger, one about to distribute alms, one observing a vow, and persons immersed in difficulties, these persons must not be arrested, nor shall the king summon them 10 (before a court of justice) ". Therefore, "Hence every one standing in the capacity of a son, leaving aside his personal interests, should free his father from debts by (all) efforts, so that he may not (have to) go to hell. ' 'Every one standing in the capacity of a son' should be explained as 'a son who has attained the age of majority'. 15 For (offering) a s'râddha, however, even a youth has authority, vide the text of Gautama viz.: "One must not make him (a child) recite Vedic Texts, except in pronouncing Swadhâ3.

By the use of the plural number in "Sons and grandsons," (it is indicated that) if there are several sons who are divided, they should pay according to their respective shares. If thev undivided, and are living jointly in a body, giving the managership according to qualifications, it appears that the manager alone should pay. As says Nārada4: "Therefore, when the father is dead the sons should pay the debt each according to his share, when they are divided; or if undivided (it should be paid) by one who holds the lead (in the family)."

generally said that 'the Here although, it has been debt should be paid by sons and grandsons', even then a distinction should be observed that by the son the debt should be discharged together with interest similarly as the father would do; by the grandson, however, only the amount equal to the original

^{1.} By Narada Oh. I. 31.

^{2.} Narada Intro. I. 52.

Gautama II, 5. The expression "pronouncing Swadha" includes by implication the performance of all exequial rites". (पित्यस्य सर्वस्य कर्मण 4. Ch. I. 2. इंग्लक्षणम्) हरद्ताः ।

principal and not the interest. Vide the text of Brhaspatii: "The debt of the father which has been proved, should be paid by the sons as if it were their own (debt); the grandfather's debt should be paid in an even amount; his (i. e. grandson's) son, however, is not liable to pay any debt." Here from the general use of the term 'proved,' the use of the term 'witness' in the expression "established by witnesses" is by implication indicative of any means of proof-Equal amount (samam) i. e. as much as was taken should be paid, and not interest. His son (tatsutah) i. e. great-grandson is not liable to pay when he has received no property. This, moreover, will be made clear in the next verse.

Viramitrodaya.

In the case of a debt contracted by the father, or by the grand-father, when neither is available for payment, by whom should it be paid? So the Author says

Yâjñavalkya, Verse 50.

Proshite, 'has gone abroad' i. e., is travelling; prete, 'is dead'; vyasane, 'in difficulties' such as by an incurable disease or the like, abhiplute, 'immersed' i. e., overpowered; pitari, 'on the father' or the grandfather also; their 'debt' rnam; ninhave 'on a denial' i. e., on a concealment by the negotiator of the loan, or when disputed by the sen and the grandson, sakshyadibhih 'by witnesses' &c., and the like means of proof; bhavitam, 'established' i. e. proved by the creditor, such should be paid by 'sons or the grand-sons', putrapautrerwa.

By the use of the word api, 'also', is included the taking on a 'renunciation', (प्रत्या), vide the text of Vishnu': "When the person who borrowed the money is dead, or has become an ascetic, or has gone out on travel for twelve years or more, the debt should be paid by the sons or the grand-sons, and not by any further (descendants) if unwilling."

The expression 'for twelve years' has application where the debt is incurred for other than a family purpose.

By the expression, 'by the sons or the grand-sons' are excluded the great-grandsons, vide the declaration in the text "and not by any further, if unwilling".

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^{1.} Ch. XI. 49. But where ancestral assets have been recovered even a great-grandson is liable, see Masitullah vs. Damodar 53 I A 204-212; 48 All. 518,

^{2.} Ch. VI. 27.

Here Vyasa' mentions a special rule: "A debt of the grand-father should be paid; a son should pay a liability incurred on account of surety-ship; he should be compelled to pay an equal amount; his son, however, must not be compelled to pay; this is certain". Samam, 'equal', \(\tilde{\ell}\). e. without interest. 'His son', i.e. the son of him who has to pay an equal amount. (50).

S'ûlapâni

Yäjñavalkya, Verse 50.

When the father who has incurred a debt, is addicted to gambling, prostitutes, and other vices, or is attacked by an incurable disease or the like, as also when he has fallen, in a case of dispute, what has been demonstrated by witnesses and the like, should be paid.

So Narada²: "When the father is dead, the sons should pay the debt according to their shares". Brhaspati³ mentions a special rule: "The father's debt, when proved, must be paid by the sons as if it were their own; the grand-father's should be paid, (but) equal⁴; but his son, has not to pay at all". 'As if it were his own', i. e. with interest.

Kâtyâyana⁵: "When the father is alive, but is oppressed by a disease, as also when he has gone abroad for twenty years, a debt contracted by the father should be paid by the sons". (50).

In the discharge of a debt, the debtor, his son and grandson have been indicated as the three persons who are liable; their order of liability has also been pointed out when they all co-exist. Now the Author mentions the order (of liability) when these and (others also) who are liable, exist together

Yâjñavalkya, Verse 51.

The heir who takes the heritage, should be made to pay his debts, as also he who takes the woman (of the

- 1. This is an important text as it lays down different kinds of liabilities and on different bases thus. (1) A son is liable to pay a surety-debt but only the principal, and not the interest (2) and so is a grandson liable to pay the grandfather's debt, only the principal, and that too for an ordinary debt, but not a surety-debt. (3) In either kinds of debts and persons, the liability does not extend to their sons. See however, note 1 on p. 794.
 - 2. Ch. I. 2. 3. Ch. XI. 49.
- 4. i. e. without interest, see the text of Vyasa and the note on p.
 - 5. Verse 548.

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deceased), or (failing these), the son when the parental estate has not gone to another. Of a sonless man, those who take the heritage (should be made to pay the debts.)

Mitâksharâ:—Property which belongs to another, but hecomes one's own otherwise than by purchase etc, is (termed) riktha, heritage. He who takes the heritage by inheritance is (called) a riktha-grāhaḥ. He should be made to pay the debt, sa rṇam dâpyaḥ. This is the meaning. He¹ who takes the property of another in the form of a heritage, should be made to pay the debts incurred by such a one, and not a thief etc.

He who takes the woman i. e. the wife, is a Yoshidgrâhah. He should be made to pay in the same manner. Whosesoever wife a man takes, that man should be made to pay the debts of him. The wife has been specially mentioned as it is (i. e. the term) incapable of falling under the term riktha, as also it is indivisible property.

Putro, a son, also when the parental estate has not gone to another, ananyâs'ritadravyah, should be made to pay the debt. That which has gone to another is 'wealth gone to another,' anyâṣritam. He whose wealth, belonging to his father or mother, has gone to another is one whose wealth has gone to another, anyāṣritadravyaḥ. He whose wealth has not gone to another is an ananyâs'ritadravyaḥ; Putrahinasya, of a sonless man, rikthinaḥ, those who take the heritage, should be made to pay the debts. This is the construction.

When these co-exist, the order (of priority) is the same as is stated in the text i. e. he who takes the *Page 34 heritage should be made to pay the debts; in his absence he who takes the wife; and in 30 his absence the son.

^{51.} See Munshi Karim Uddin vs. Kumar Govind Krishna 31 All 497 (P.C.) The liability is personal—The debts are not a charge upon the estate. Laxman vs. Saraswatibai 12 Bom. H. C. R. 98.

As regards co-owners taking by survivorship, see Deen Dayal'ss. Jogdip Naran 4 I. A. 247. Udaram vs. Ranu 11 Bom. 11. C. R. 76.

A widow taking assets is liable. Jayanti Subbaia vs. Alamelu Manjamma 27 Mad. 45. But not, if the debt was improper. Kissendas vs. Rangubai 9 Bom. L. R. 382.

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It may be said that of these the co-existence itself is not possible; because according to the text1 " Not * Objection brothers, nor the paternal ascendants, (but) the sons are entitled to take the heritage of the father." when a son exists, it being impossible for any other to inheritance. It is take the also not possible to one 'who takes a wife'—on account of the text² "Nor is husband ever a second recommended for virtuous women." Further, it is also improper to say, that the son should be made to pay the debt, as it has been (already) said that 'the debt should be paid by sons and grandsons'. The qualifying expression 'when the parental estate has gone to another' is also meaningless, as it is impossible for the property to go to another when the son exists; and even if it were possible, that import is already expressed by the clause "He who takes the heritage &c." Lastly, it should also not be said that "(The debts) of a sonless man (should be paid by) those who take the assets," because it has been established that he who takes the assets should be made to pay the debts even if the son exists. It follows therefore that much more is one who takes the assests liable to pay the debts when there is no son.3

To this the answer is as follows: It is possible that another may take the heritage (even) when the son exists, as there is no (right of) succession to inheritance for the impo-

tent, the blind, the deaf and the like others even though they occupy the position of sons. Moreover, the Author will say further on,4 after commencing (in order) with the impotent and others, that "these should only be maintained without a share.' As Gautama⁵ has said: "According to some, the son of a woman of equal caste even does not inherit, if he be living Hence also, when the sons are impotent or unrighteously." otherwise (incompetent), and the son of a woman of equal caste leads an unrighteous life, the uncle, his son and (like) others take the heritage.

The Answer.

^{1.} Cf. Manu. IX. 185.

^{2.} Of. Manu. Ch. V. 161.

Here ends the five-fold objection.

^{4.} II. Verse 140.

^{5.} Ch. XXVIII. 40.

Although it is not possible for one to take the wife of another as the $S'astras^1$ are opposed, still one who transgresses the prohibition certainly becomes liable to discharge the debts incurred by the former husband. A man is called a Yos'hidgrahi2 when he takes the last of the four kinds of Swairini (wanton) women or the first of the three 5 kinds of Punarbhû (re-married) women: As says Nårada3 "(Besides the lawful wives) seven other sorts of wives are mentioned in order. who had previously belonged to another. Among these the Punarbha (re-married) is of three kinds, and the Swairini Nature of women (wanton woman) is fourfold (45). "A maiden 10 owned by another not deflowered, but bearing the taint of the acceptance⁵ (only) of the hand (by the bridegroom) and others. is termed the first Punarbhû on account of the performance of the ceremony of marriage a second time⁶ (46). When a woman has committed a crime and she is given in marriage to another by the elders, taking into consideration the usages of the country, is termed the Second Punarbhû" (52). Who has 'committed a crime' means who has 'committed adultery'. "When a woman in the absence of the brothers-in-law, is given (in marriage) by her relations to a sapinda, who is of the same caste, she is termed the third 20Punarbhû (48). When a woman, no matter whether she has borne children or not, goes to live with another man through lust, even while her husband is living—she is the first Swairini (49). One who, after

^{1.} Or, as it would be opposed to the Śastras. But it should be noticed that a custom exists e. g. among the Ahirs of the United Provinces to take on to himself the wife of a debtor dying without redeeming the debt. And an instance was noticed very recently in Central India where the brother redeemed the wife of his deceased brother taken on by an unpaid creditor.

^{2.} One who takes the wife of another.

3. Ch. XII, 45-53.

^{4.} Dr. Tolly translates as, "Who have previously been enjoyed by another man".

^{5.} Pâṇigrahaṇa (पाजित्रहण) is the acceptance of the hand of the bride by the bridegroom.

^{6.} In Dr. Jolly's edition of the Nârada Smrti, this verse has been placed, as descriptive of the last of the swairni women, exchanging it with verse 47 which is given there as descriptive of the second Punarbhu. While both Vijîâneśvara and Mitra-miśra here as also in his Digest (see page 347) give this as descriptive of the second Punarbhu. In the Smrtichandrika also Devanabhatta cites this as from Nârada as characteristic of the second Punarbhu. (see p. 173 l. 5)

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having left the husband of her youth and betaken herself to another man, returns into the house of her husband is known as the second Swairini (47). When after the death of her husband, and leaving aside her brothers-in-law and other near relations a woman unites herself with a stranger through love, she is called the third Swairini (50). One who having come from a foreign country, or having been purchased with money, or being oppressed with hunger or thirst, gives herself up to a man, saying.—'I am thine,'—is declared to be the fourth (Swairini). "The debts contracted by the husbands of the last of the Swairinis and of the first of the Punarbhus must be paid by him who lives with them."

The same author has mentioned even other persons (than these) who take the wife of another who are liable for the discharge of debts: "If however, a woman who has considerable property or has a child and repairs to another man with these, that man must pay the debt contracted by her husband, or he must abandon her." One having considerable property is a Sapradhanâ i. e. possessing enormous wealth. So also "He who has intercourse with the wife of a dead man who has neither wealth nor a son, shall have to pay the debt of her husband, because she herself is considered as his property."

Moreover, the repetition of the word putra is only indicative of order. By the expression ananyâs'ritadravyah it is indicated that even when there is no heritage, of the many sons, he alone is competent to discharge the debts who is competent to take a share and not the incompetent, such as the blind and like others. The expression "Of a sonless man, those who take the heritage" is also indicative of one who has no 'son or grandson. i. e. if the great-grandsons etc. take the heritage then they should be made to pay the debts, and not otherwise; this is the meaning.

It has already been said that sons and grandsons should be made to pay (the debts) even when they do not take the heritage. As says Narada: "If a debt which has been inherited in an uninterrupted

^{1.} Nârada I. 24.

^{2.} Nârada I. 21.

^{3.} Narada 1. 22

^{4.} Ch. I. 4.

line of descent has not been paid by the sons, such a debt of the grandfather must be discharged by his grandsons. The liability ceases after the fourth (person) in descent." Thus everything is faultless.

Or, it has been said "that failing him who takes the wife, the son should be made to pay."

It has been laid down that failing the son, one who takes the wife should be made to pay. By the *rikthi* in the expression putrahīnasya rikthinaḥ the wife alone is indicated. Because the text² is "She herself is considered as his property;" as also—"He who takes a man's wife, takes his wealth."

It may be said, the two expressions viz. "In the absence of him who takes the wife, the son should be made to pay the debt", and "In the absence of a son, An objection. he who takes the wife (should be made to pay)"are mutually contradictory. When both exist, no one should be made 15 to pay. (To this the answer is): There is no fault here. In the absence of those who take the last Swairini, the first Punarbhû, or a wife having considerable The answer. wealth, the son should be made to pay. And in the absence of a son, he who takes a wife having no property or child should be made to pay. This very thing has been said by Naradas: "Of the three viz. he who takes the wealth, as well as he who takes the wife, and (lastly) the son, he is liable for the debts who takes the wealth. The son is liable in the absence of him who takes the wife or of him who takes the wealth; and he who takes the wife (is liable) 25in the absence of him who takes the wealth or of the son." When all the three viz. he who takes the wealth, or he who takes the wife, and (lastly) the son, exist together, he who takes the estate becomes liable for the debt. The son, in the absence of him who takes the wife or him who takes the wealth. (The words) Stri and dhana make up 30 (the compound word) Strîdhana. Those who possess these (two) are (indicated by the compound word) Stridhaninau. In the absence of these two i. e. the Stridhaninau, the son alone becomes liable for the

^{1.} This has a reference to the five points of objection stated above.

^{2.} Narada, I. 22.

^{3.} Ch. I. 23.

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debts. In the absence of him who takes the wealth, or of the son, he who takes the wife is alone liable for the debts. In the absence of him who takes the wife, the son is liable for the debts, and in the absence of the son he who takes the wife. Thus is removed, as before, the apparent contradiction.

Of the clause "Of a sonless man, those who take the heritage" (should be made to pay the debts)" there is another explanation: When it is asked to whom these persons who take the wealth, or the wife, as also the son, should be made to pay, the answer is that they should be made to pay the creditor, in his absence his son &c.; and when in the absence of his son &c. it is asked to whom should these be made to pay, this clause would have an application.

The expression "Of a sonless man, those who take the heritage" means this: He who is the rikthi i.e. a sapinda, or another who is entitled to take the inheritance of a creditor who has no son or other issue, should be made to pay to him—the rikthi (the debtor). For Nârada¹ has said:—"Whatever debt is due to a (deceased) Brâhmana creditor who leaves issue is payable to the issue. If there be no issue it should be paid to his sakulyas, and on failure of these, to his own bandhus or kindred". When, however, there are neither sakulyas, nor relatives, nor the kindred, then it should be paid to the twice-born. On failure of these, it should be cast into the waters." (51.)

Viramitrodaya.

Intending to mention persons other than the sons and the like, 2 liable to pay a debt, the Author proceeds

Yâjñavalkya, Verse 51.

Putrahînasya, 'of one without a son', not oppressed with difficulties, possession of wealth, and competent; rikhthinah, 'those who take the assets', of the debtor, by any means whatever is to be proceeded against 30 in regard to his property which he has made his own, such a one if he is indifferent, should by a regular procedure be made to pay the wealth in the form of the debt. In his absence, one who takes over the wife of the debtor should be made to pay.

^{1.} Oh. I. 112-113.

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The use of the word cha, 'also', is intended to include others not (here) specified who may (be made to) pay. Thus one not oppressed with difficulties, possessing wealth, and competent, such a son, or also a son not like him, who has taken the father's entire property, is liable for the payment of his debt, as he has taken the entire estate. Thus here, the conclusion is that, in the absence of the first and the last, a son not oppressed with difficulties, possessing wealth, and who is competent, in his absence one indifferent who takes the heritage, in his absence, one taking the wife of the sonless man with property, and in his absence, a son though not possessing the aforestated qualifications.

The word eva, 'also' is to be used after the clause 'of one without a son'. From this, it has been pointed out that the debt of one who has a competent son, should not be paid by one who takes the assets or one who takes the wife.

So Brhaspati¹: "The liability for the debts devolves on the successor to the estate, when the son is involved in a calamity; or on the taker of the wife, only in the absence of the taker of the estate". Kâtyâyana² also: "A son should be compelled to pay the debt, if he is free from worry, and capable of having property, and competent; otherwise a son should not be made to pay (557). Where a son is found to be overpowered with difficulties, or is a minor, the taker of the assets should be made to pay it, and in his absence, the taker of the wife (576)".

This rule of adjustment is in regard both to difficulty and equity, 25 and is also approved of the Mis'ra; and therefore any opinion in other digests contradictory of this should not be admitted.

As regards the clause, 'of one sonless, those who take the heritage', the Mitakshara's explains that by this it is stated that in the place of a sonless creditor, those of the Sapindas who take the assets should be caused to be paid by the debtor.

In the case of a taker of the wife, Kâtyāyana⁴ explains: "What was contracted by the moneyless and sonless vintner and the like, that man who enjoys his wives must pay his debt" (577). By the word ddi, and the like, are to be included those who depend for their livelihood upon their wives. Similarly⁵: "Those who have gone on a long journey,

^{1.} Ch. XI. 52.

^{3.} p. 301. l. 5-10.

^{5.} Verse 575.

^{2.} Verses 557, 576.

^{4.} Verse 567.

who have been cast off, and who bear the marks of dullness in intellect or insanity, of these even though living, the debt should be paid by those who have resorted to their wives or assets (578)."

Nârada1: "One who is a maiden yet, not deflowered, but bearing the taint of the acceptance (only) of the hand (by the bridegroom) is termed the First Punarbhû on account of the performance of the ceremony of marriage a second time (46). Taking into consideration the usage of the country, when a woman is given in marriage to another by the elders, when she has been guilty of a crime2, such a one is termed the Second (Punarbhû3) (52). In the absence of the brothers-in-law, 10 when a woman is given in marriage by the bandhavas or kinsmen, to a man of the same varna and of the same pinda*, she is termed the Third (Punarbhû) (48). When a married woman, either when she has borne children, or has not had children, resorts to another man through lust, while yet her husband is living, she is called the First Swairini (49). 15 One who, after having left the husband of her youth and betaken herself to another man, returns to the house of her husband is known as the Second Swairini (47). When after the death of her husband. leaving aside her brother-in-law and other relations, a woman unites herself with a stranger through love, she is called the Third Swairini (50). 20 One who having come from a foreign country, or having been purchased with money, or being oppressed with hunger or thirst, gives herself up to a man saying-'I am thine',-is declared to be the Fourth Swairing (57). In regard to the one who is the last of the Swairinis, and the one who is the first of the Punarbhus—the debts contracted by the husbands of these, must be paid by the man to whom they resort (I. 24)". (51).

S'ûlapâni.

Yâjñavalkya, Verse 51.

Rkthagrahah, 'Who takes the heritage,' such as the uncle &c., on account of his relationship, one who has taken the assets; such a one rnam dapyah, 'should be made to pay the debt'. So also the taker of the wife even. The son capable of taking property and devoid of any estate;

^{1.} Ch. XII. 46--52; and Ch. 1. 24.

^{2.} i. e. adultery.

^{3.} see note 6 on p. 798 above.

^{4.} सवणीय स्पिण्डाय is the reading in Jolly, Mitakshara, and in both the works of Misra. सवणीयास्पिण्डाय would be a better reading.

who has not received the father's property; not one who has taken the father's property, such a one being included in his capacity of having taken the assets. Of one without a son, those who are competent to take the heritage, such as the uncle &c.

Of the taker of the heritage, or of the wife, or the son, when 5 and by whom should be paid? So Narada1: "Of the three viz.: he who takes the wealth, as well as he who takes the wife, and (lastly) the son, he is liable for the debts who takes the wealth; the son is liable in the absence of him who takes the wife, or of him who takes the wealth: 10 and he who takes the wife (is liable) in the absence of him who takes the wealth, or the son." In the absence of the taker of the wife or of the heritage even by a son who is not competent may be paid; when the taker of the wife or of the heritage are available, only by a son who is competent. On this rule of adjustment Kâtyâyana2 says: "A son should be compelled 15 to pay the debt, if he is free from worry; is capable of having property and is competent; otherwise, the son should not be made to pay (557). Where the son is oppressed with difficulties, or is seen to be a minor: in such a case, the taker of the property should be compelled to pay. and in his absence, the wife-taker (576). "(51).

While mentioning the prohibitions regarding the recovery of debts from particular individuals, the Author mentions other prohibitions.

Yâjñavalkya, Verse 52.

Among brothers, between the husband and the wife, 25 and between the father and the son, the relation of suretyship, lending, or being witnesses has not been allowed while they are undivided.

Mitashara:—The relation of a surety is suretyship, prâtibhâvyam. Of the brothers, of the husband and wife, and the father and son while the estate 30 The relation of is undivided, avibhakte dravye, i. e. before suretyship, lendbeing the partition of the estate, the relation of suretying and witnesses prohiship, lending, or being a witness has not been bited when (the allowed, na smrtam, by Manu and others. 35 family) undivided. Nay, it has even been prohibited as there is (still) the community of wealth. As it is quite possible

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that suretyship and being a witness might lead in the end to loss of money, and also as a debt requires necessarily to be repaid.

This rule (of prohibition), however, applies when there is no mutual consent. For, by mutual consent, the relationship of surety-ship &c. may indeed take place even though (the members be) undivided. After partition, it takes place even though there is no mutual consent.

It may be said, the prohibition against the relation of suretyship &c. between the couple before partition is not
An objection. proper. As there is no (possibility of a) partition
between them, the qualification would be
meaningless. And the negation of a partition has been laid down
by Apastamba² (thus):—"No division takes place between husband
and wife."

(To this the answer is), True; but the absence of a division 15 has a reference only to the rites which can be performed by means of the S'rauta' and the An Answer. Smârta³ fires and to the rewards proceeding from these (rites), and not moreover to all kinds of acts and property. For, after stating that no (division) takes place between the husband and 20 the wife', and anticipating the question 'Why does it not take place '? the (same) author has thus laid down Page 36. the reason (for this rule): "For, from the time of marriage, they are united in religious ceremonies, likewise also as regards the rewards for works by whichspiritual merit is acquired4 " For i. e. since their union has been laid down in religious ceremonies beginning with the acceptance of the hand (of the bride by the bridegroom), vide the text: "The husband and wife should consecrate the (sacred) fire." Therefore since the two have a joint right in the consecration of the fire, they 30

^{1.} viz. 'before partition'.

^{2. 2-6-14-16.}

^{3.} A Śrauta (श्रीत) karma is that which is prescribed by the Śruti or Veda. A Smārta (स्पार्त) karma is that which is laid down in the Smrtis. e. g. in the several Grhya works of each Śākhā of the several Vedas.

^{4.} Apastamba 2-6-14-(17-18.)

have also a (similar) and joint right in regard to the rites which are to be performed by means of the sacred fire prepared by means of the consecration. Moreover, from the text1: ("Let the house holder perform) the Smarta ceremonies on the nuptial fire &c.", the two have a joint right even in (the performance of) the rites to be performed by means of the nuptial fire. Therefore in ceremonies which are independent of either of the two fires such as the purta2 rites, the husband and the wife have each a right independently of one another. Moreover, the (perpetual) union of the husband and wife has been laid down in reference to (the 10 attainment of) heaven &c. (which are) the rewards for meritorious deeds. Vide the S'ruti text3: "May you (two) start an imperishable body in the heaven" &c. Thus it should be understood that the union of the two exists in reference to those acts (only) for which they have a joint right, and not, moreover, in the rewards also 15 of those performed with the husband's permission such as pûrta.

It may be said that the jointness (of husband and wife) has been laid down even, in connection with the ownership over wealth vide the text4:—" And with respect to the acquisition of property. For they declare that it is not theft if a wife expends money on 20occasions (of necessity) during her husband's absence. "

(To this the answer is), True; but this text has indicated the ownership of the wife over wealth, and not an absence of a division &c. Since after stating "With respect to the acquisition of 25 property" the Author⁵ has mentioned the reason of the rule (stated) Thus, it means, that since Manu and others do not declare it to be theft in cases where in the husband's absence, the wife spends on special and necessary duties such as offering a meal or

Yâjñ. I. 97.

^{2.} Purta-uf-as opposed to and contradistinguished from gg. See further on Mitakshara Sk. p. 81. l. 1-2. An Ex Karma has been thus defined:-, अभिहोत्रं तपः सत्यं वेदानां चैव पाठनम् । आतिथ्यं वैश्वदेवश्च इष्टमित्यभिधीयते ॥ While a पूर्त Karma has been thus defined: - वापीक्रूपतडागादि देवतायतनानि च । अन्नप्रदानमारामः पूर्तमित्यभिषीयते ॥

^{3.} Taittiriya Brâhmana III. 7-5.

^{4.} Âpastamba 2. 6. 14. (19. 20.) 5. i. e. Âpastamba.

alms to a guest, therefore the right of ownership over property exists in favour of the wife also. Otherwise it (i. e. her act) would be theft. Therefore a wife also may have a share at the option of the husband and not of her own will. As the Author (himself) says further on: "If he make the allotments equal, his wives should be given equal shares."

Viramitrodaya.

In the chapter on payment of debts, in the portion stated with the text 'Debt which may be paid, and which may not be paid &c.', while stating to whom it may not be paid, in that connection, the Author states other prohibitions also in that place

Yâjñavalkya Verse 52.

In the word aribhakta, 'undivided', the past participle (kta) is used in the abstract² sense. Therefore, when there has been no separation, bhrātṛṇām, 'between brothers' mutually, dampatyoh, 'between a couple' i. e. a husband and wife, as also between a father and son, prātibhāvyam, 'the relation of suretyship', i. e. bail, ṛṇam, 'lending' i. e. giving of a loan, sākṣhyam, 'being witnesses,' (position of a witness), for establishing a point in dispute, na smṛtam, 'has not been allowed' i. e. is not approved of the Smṛtis.

The word atha, 'or', is indicative of the inclusion of the paternal uncle, brother's son, and like others. The word cha, 'and' indicates the inclusion of re-united relations. The word tu, 'however', indicates the non-application of this rule in the case of consent or in regard to extraordinary things. Thus when the other party is agreeable for a suretyship or to the testimony, then the son &c. can become a surety, as also a witness for the father and the like. In the case of Saudtyikas articles, even when not separated, mutual transactions may take place.

After partition, however, the relation of suretyship may certainly exist, it has been expressly stated—'when unseparated', and also as there could be no objection. In the case of suretyship and being witnesses other particulars will hereafter be mentioned (52).

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^{1.} vi. e. Yâjña. II, 115.

^{2.} माने क्त: i. e. in a state or condition of separation.

^{3.} g त्य-affectionate gifts received individually. These do not become part of the family property, but are owned by the dance as of their personal right.

S'ûlapâni

Yājnyavalkya, Verse 52.

The meaning is plain. Narada: "(The acts of) giving evidence, of becoming a surety, of giving and of taking, may be mutually performed by divided brothers, but not by unseparated ones." (52),

THE LAW OF SURETYSHIP

Now the Author proceeds to consider the law of suretyship

Yâjñavalkya, Verse 53.

For appearance, assurance, and for payment is suretyship ordained. The first two, however, should be made to pay in case of default, while in the case of the last, the sons even (should be made to pay).

Mitâksharâ:—Prātibhāvyam, suretyship, is a 'contract with another person with the object of creating confidence. 'That, moreover is divided threefold 15 Suretyship is three-fold. according to the difference in the subject-matter; e. g. dars'ane, for appearance, viz. with the words "whenever his appearance is necessary, I shall produce him"; pratyaye, by way of assurance, e.g. confidence i.e. "upon my assurance lend him money, he will not deceive you. 20 Since he is the son of such and such a person, or he possesses a very fertile land, or possesses an excellent village"; dane, for payment, e. g. "If he does not pay, then I myself will pay." Thus is suretyship ordained. (this) clause is to be taken along with each.

Adyau tu, the first two however, i.e. the sureties for appearance and of assurance; vitathe, in case of default, i. e. if things turn out otherwise, that is to say in case of non-appearance or a breach of the assurance; dapyau, should be made to pay, i. e. the amount at

^{1.} Ch. XIII. 39.

issue, to the creditor by the king; itarasya, in the case of the last, i. e. of the surety for payment, even the sons should be made to pay.

By default, vitathe, is meant when the debtor evades payment either fraudulently or by (pleading) poverty. By saying in the case of the last even the sons, it has been (impliedly) said that the sons of the first two should not be made to pay. By mentioning the sons it has been indicated that grandsons should not be made to pay.

S'ûlapâni.

Yâjñavalkya, Verse 53

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Suretyship has been ordained in regard to three viz. appearance etc., Âdyau 'the first two', i.e. the sureties of appearance and of assurance, on a non-observance of the condition should be compelled to pay. In the case of the surety for payment, the sons also must be made to pay. So Brhaspati²: "For appearance, for assurance, for payment, and also for delivering the assets of the debtor: it is for these four different purposes that sureties have been ordained by sages in the system (of law) (39): One says, 'I will produce (him)'; another says, 'He is a respectable man'; the third says 'I will pay the debt', and the fourth says 'I will deliver his goods' (40). The first two, on a failure of the promise, shall be made to pay immediately the amount; while the two last, on a breach of the engagement (by the debtor); and in their absence, their sons also." (41). [53].

With a view to make this very thing clear, the Author says
Yajnavalkya, Verse 54.

Where a surety for appearance dies, or also a surety by assurance, the sons of such a one must not pay the debt; (but they should pay) in the case of a surety for payment.

^{1.} In the case of a surety for payment, the sons are liable. Thanguthámal vs. Arunachalam 41 Mad. 1071. and this liability is independent whether any consideration was received by the father. Dwarka Das vs. Krishna Das 55 All. 675.

^{2,} Ch. XI. 39-41,

Mitâksharâ:-When dars'anapratibhūh, a surety for appearance, prātyayiko wâ, or a surety bu assurance, mrtah, dies, i.e. goes to heaven, then Sons of a surety for appearance need the sons of these two must not pay the paternal debt which has been incurred as a surety not pay the debt. 5 Where, however, danaya sthitah, a man standing surety for payment, dies (pratibhûh), tatputrā dadyuh, his sons should pay, (and) not the grandsons. And these too should pay the principal amount only, not the interest; Vide the text of Vyasa viz.: "A grandson should pay the debt of the grandfather, as also 10 a son that which is incurred as a surety, equal (in amount) to the principal only; their sons, moreover should not pay. This is (the) fixed (rule).

A grandson should pay his grandfather's debt excepting
that which was incurred under a suretyship,
* Page 37. equal in amount, i. e. as much as was taken,
and not the interest Similarly the son also
(i. e. of the debtor) should pay his father's debt incurred as a
surety equal only to the principal amount. The sons of these,
20 i. e. of the son and the grandson, i. e. the grandson and the
great-grandson, should not be made to pay a surety-debt or even a
debt which is not a surety-debt respectively when they have received
no property.

As for the text¹: "If the debtor is moneyless, and the surety possesses wealth, he shall be liable to pay the principal; he should not pay interest," that too should be explained as follows:—Lagnakah is the surety, Khâdakah, is the debtor. If a lagnaka dies possessed of wealth, then only the principal amount should be paid by his son, not the interest.

Where a surety for appearance or a surety by assurance has stood surety after obtaining a sufficient pledge, there even his sons should pay the surety debt out of that very pledge. As says Kâtyâyana³: "Where a man stands surety for appearance after-

^{1.} Of Harita; see Smrtichandrika p. 150 l. 11.

^{2.} A guarantee that a judgment-debtor would file an insolvency petition within a specified period is a guarantee 'for confidence' and therefore the sons are not liable. Kottapalli Lakshminarayana Rao vs. Kanuparti Hanumanta Rao 58 Mad. 375 at p. 376.

3. Verse, 534.

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obtaining a sufficient pledge from the debtor, his son shall be compelled to pay the debt from it in the absence of his father." The use of the word assurance indicates by implication (also) appearance. In the absence of the father i. e. when the father is dead or has gone to a distant region.

S'ûlapâni.

Yâjñavalkya, Verse 54.

This verse is for the purpose of ordaining payment by the sons of the surety for payment only; and thus there is no repetition, so Kâtyâyana³: "A surety obligation is never to be paid by the grandsons; by the son even an equal amount is to be paid, in all cases of a paternal debt". (54).

Where there are more sureties than one, (a question would arise) how should the debt be paid? So the Author says

Yâjñavalkya, Verse 55.

When there are more sureties than one, they should pay an amount proportionate to their shares. But when they are bound jointly and severally, they may pay according to the choice of the Creditor.

Mitâkṣharâ:—If in one transaction, there are two or 20 bahavo, more sureties, then they should divide Mode of payment the debt and (each) should pay proportionately of debt when there to the share (of each). Ekachhâyâsriteshu, are several sureties, when sureties are bound jointly and severally the (Chhâyâ) image i.e. the resemblance of one 25 i.e. of the debtor. (Those) whose liability is determined by it are known as sureties bound jointly and severally. As the debtor stands liable for paying the whole amount, so also are the sureties for payment bound jointly and severally to pay the entire amount.

In this way when there are sureties for appearance or by 30 assurance, as also those who are bound severally they should pay

^{1. &#}x27;विना पितृधन।त्' is another reading—which would mean 'even when the son has not received assets from the father.'

^{2.} i. e. the mention of the surety for appearance includes the surety by assurance,
3. Verse, 561.

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according to the choice, yathakamam, i. e. according to the wish of the dhanikah, i. e. the creditor. And hence, whomsoever the creditor asks, having regard to his wealth &c., that one should pay the whole amount and not a portion.

Of those who are severally bound, if any one has gone abroad and his son is near, then he should be made to pay the whole according to the option of the creditor. When, however, he is dead. his son should be made to pay to the extent of his father's share without interest. As says Katyayana1: "Of sureties jointly and severally bound, any one who is available may be made to pay. In 10 his absence abroad his son should be made to pay the whole. But if he be dead, his son should be made to pay equal to the share of the father."

S'ûlapâni.

Yâjñavalkya, Verse 55.

In regard to a debt, where the sureties are limited by portions, there in the absence of the debtor, they should pay the portion of each his own.

When sureties are bound as responsible for the debtor singly, the creditor may, at his option, recover the entire debt from one surety 20 alone (55).

Having stated the law relating to the payment of debts under a contract of suretyship, the Author states the law as to the recovery of the amount paid by the surety

Yâjñavalkya, Verse 56.

For a debt which a surety has been made to pay 25 publicly to the creditor, double that amount becomes repayable to him by the debtors.

Mitāksharâ:—The amount which, yad, the surety pratibhûh, or his son being harassed by the Debtors should creditor, is publicly, prakasam, i. e. in the 30 pay double to presence of all the people, made to pay, dâpito; to the creditor, dhanino; by the king, and not the surety. which he has made voluntarily by going to him. out of a craving for a double amount. As says Narada2: "What-

^{1.} Verse, 538.

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ever amount the surety shall pay when harassed by the creditor, the debtor shall pay double the amount to the surety"; rnikaih, i. e. by the debtors; tasya, of him, i. e. of the surety; dwigunam, a double, pratidâtavyam, becomes repayable. That, moreover, should be paid forthwith without waiting for any particular time, because that is the force of the text. This, moreover, has a reference to money (only).

It may be said that this text¹ regarding sureties lays down a rule as to the double (payment)² only. And this An objection rule is deducible even without prejudice to the one previously³ laid down *i. e.* (about the increase) which indicates the (several) periods of time. Just as the rule⁴ regarding the performance of the ritual for the birth (of a

- 1. i. e. Yâjñ. II. 56.
- 2. And not that the double is payable at once.
- 3. i. e. Yâjñ. II. 37-39.
- 4. The Jâteshți Nyâya (जातेष्टिन्याय) is mentioned by Jaimini in Sutras 38-39 of the third Pâda of the fourth Adhyâya. The discussion in this Nyâya turns upon the question whether the जातेष्टि (Jâteshți) should be performed before or after the जातकर्म (Jâtakarma).—The पूर्वपृक्ष maintains that it should be performed immediately after the birth of the child, but the सिद्धातिन says it should be after the जातकर्म, and the conclusion is to the same effect.

The relevancy of this discussion here will be seen thus: The जातिष्टिन्याय lays down in substance the general rule of interpretation that where there are two rules and they refer to the same subject-matter, they should be so interpreted and applied as to avoid as far as possible the fault of incongruity (see for a fuller discussion the सुबोधिनी Text p. 32 & Trants, pp. 76–80 and बालंमट्टी on verse 56). In the present case the application of the न्याय is invoked in this way by the पूर्वपक्ष (objector). Yâjñavalkya in verse 37 lays down the rule about the periods of time when interest is allowed to accumulate. In the present verse (i. e. 56) the rule laid down is that a surety who is compelled to pay is entitled to a double. Therefore the suggestion in the gaqs is that the rule in verse 56 should be taken as subject to or without prejudice (প্ৰৰাখ) to that in verses 38 and 39, so that the double that the surety is entitled is not payable at once but subject to the conditions laid down in verses 38 and 39. This position has been refuted by the तिद्वानिन and the conclusion arrived at is that the double that is due payable to the surety under this verse is payable at once (सेदा एवं द्विगुणे दातन्यम्). Note the following extract from the Subodhini. पञ्चते त्वेबसुपयोगः । यथा श्रद्धकालस्त्रं अवाधित्वैव जातेष्टिविधानं, तथा 'अशीतिमागो ब्रद्धः स्यात ' इत्याादिना पूर्वोक्तो यः कालक्रमेण बृद्धिकमः तमवाधित्वैव द्वेगुण्यविधानम् । अतश्च न सद्यो द्वेगुण्यमिति । and there he states conclusion अत्रश्च पूर्वमप्राप्त यत्सद्यो द्वेगुण्यं तद्वावदयं विधेयम्। (P. 32 a l. 15. Eng. Trs. p. 78 l. 28 and p. l. 15.

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child) is (understood as being) laid down (to be) without prejudice to the rule about (the period of) impurity. Moreover, if it (i. e. the rule) is understood as laying down an immediate increased payment, it being impossible for an immediate (increase)

* PAGE 38. i. e. a calf in the case of the female of a beast, it carries us to the payment of the original principal alone.

(To this the answer is) This is wrong. The present text would be meaningless if it is understood as 10 The answer laying down a rule as to the doubling only (of the principal), since the rule as to the doubling (for the principal) by regard to the periods of time has already been established by the text1: "Of cloth, grain and gold the utmost increase is fourfold, threefold, and twofold." 15 female of a beast, even under the rule of increase by lapse of time. if there is no progeny, the beast alone is to be returned. Moreover, even when some time after the payment of the amount the surety comes to an agreement with the debtor, it is possible to have the progeny then, or he may return the female beast along with the progeny already born before. So there is no force in this objection. 20

Again, a surety-debt² is a debt, which is incurred voluntarily, and the payment made by the surety is therefore necessarily a voluntary payment. And there is no interest allowed for a voluntary payment before a demand. As has been said:³ "A friendly loan does not carry interest when no demand is made. If it remains unpaid on being demanded, it carries interest at five per cent." Therefore this text lays down that this debt which originates in a voluntary payment (by the surety) even though undemanded⁴ would

^{1.} Yājā. II. 39 see above p. 769.

^{2.} Here there is an attempt at a pun upon the word प्रीतिद्त. The compound is to be solved as प्रीत्ये इतं—given for the pleasure of the payee and not (प्रीत्या) of the payer. The fallacy is best exposed by taking the original word प्रीतिद्त as it is. In Sanskrt it may mean "something given for pleasing another" or it may mean a friendly loan—as it is technically understood in the text cited from Narada. The ground for the objection stated in the text, is supplied by the ambiguous middle भ्रीतिद्त.

^{3.} By Nârada I. 109.

^{4.} i.e. By the surety.

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(at the most) increase in course of time as far as double, commencing from the day of the payment, is what is (intended to be) stated by this text.

This also is wrong. Such a conclusion cannot be drawn from this text. The only inference deducible is that a double should be repaid. Therefore, what has been said above is proper viz. that having regard to the force of the text the double should be repaid without regard to the rule as to the periods of time.

S ûlapâni,

Yâjñavalkya, Verse 56.

Where the surety or his son has been compelled by the creditor to pay the amount, to him the debtors should pay double the amount.

By what time such double becomes payable, has been stated by Brhaspati¹: "When a surety pays on a demand (an amount) which has been vouched for, after the lapse of three fortnights, that amount (the debtor) is bound to pay" (56).

The Author mentions exceptions to the rule as to a double payment to the surety which has been laid down (above) as a general rule

Yâjñavalkya, Verse 57.

Progeny in the case of female beasts, three-fold in the case of corn, four-fold in the case of cloth, and eightfold in the case of liquids².

Mitâksharâ:—Like the double, in the case of gold, the female beasts &c. should be caused to be returned with interest as declared above without regard to (the rule as to) time. As for the verse itself³, it has already been explained. The purport is that whichever limit has been laid down as the highest (increment) for each particular thing, with that increase it should be paid at once by the debtor to the surety who has paid (the principal), and without waiting for any particular period.

^{1.} Oh. XI. 44.

^{2.} i. e. are allowed to a surety who has paid the debt on account of the principal debtor.

^{3.} i. e. of Yâjñ, v. 57.

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When, however, a surety for appearance is unable, at the appointed time, to produce the debtor, then a three fortnight's time should be allowed to him for finding out the debtor produces him, he should be released, otherwise he should be made to pay the amount in dispute. Vide the text of Kâtyâyana2: "As for finding out an absconding debtor, time should be given to the extent of three fortnights as the farthest limit. If during that time the surety point him out, the surety should be absolved. (however) the surety do not point him out after the lapse of the time (allowed), he should be made to pay the amount guaranteed. This is also the rule when he (i. e. the debtor3) is dead."

The same writer has also laid down the rule prohibiting particular persons from becoming sureties: "Not the master, nor an enemy, nor one holding a power from the master; nor one under restraint, nor a convict, nor even one (who is) of a doubtful character: 15 nor also an heir, nor a friend, nor the resident student, nor one engaged on a commission from the king, nor also those persons who have entered the fourth⁵ order, nor one who is not competent to pay (the amount to) the creditor and an equal amount to the king as a **2**0 fine, nor one whose father is living, nor a wayward, nor one who is not (properly) known, should be accepted as a surety guaranteeing performance by himself". Sandigdhali, one of a doubtful character, ABHIS'ASTAH, i.e. one upon whom hangs an accusation. Atyantavâsinah resident students, i. e. students leading a celibate life and specially known as Naishthika brahmacharinah⁶.

Here ends the law as to sureties.

Viramitrodaya.

In regard to a transaction with surety, the Author states special rules.

^{1.} From his liability as a surety.

^{2.} Verses, 532, 533.

^{3.} See Bâlambhatti.

Kātyāyana Verses, 114, 115, 116.

^{5.} i.e. the last of the four stages of life according to the Aryan law ब्रह्मचर्य, गाईस्थ, वानप्रस्थ and संन्यास. The life of a celibate, householder, hermit, and an ascetic.

^{6.} See Yâjñ. I. 50 and Mitáksharā thereon pp. 792-794.

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Yājnavalkya, Verses 53, 54, 55, 56, 57.

Dane, 'for payment, i.e. making payment himself, by recovering from the debtor and making over.

Moreover, Brhaspati¹ makes this clear: "Now, one says 'I will produce (this man)'; another says, 'He is a respectable man'; the third says, 'I will pay the debt'; and yet another says, 'I shall deliver the goods.' (40). The first two however, on a failure (by the debtor in his engagement) should be made to pay the amount advanced at the time; the last two also, on a breach of the engagement (by the debtor), and in their absence, their sons also. (41)".

He who says, 'I shall produce before you the man proceeded against' he is one kind of surety. In this way is to be connected further on also. 'I shall pay', so says another; thus is it to be connected. In the expression \widehat{A} dyau tu 'the first two, however', by the use of the word tu, 'however', it has been indicated that of the first two kinds of sureties, sons must not be made liable to pay. 'On a failure', i.e., when there occurs a discrepancy in the matter of the appearance or the goodness vouched for, the sons also shall be compelled to pay. This construction follows from the consequential change in the case inflexion. By the use of the word αpi , 'also' are included the sureties for payment

The author of the Mitakshara says that the Author further expounds what had already been stated before. As a matter of fact, however, the rule stated in the first verse relates to sureties when living; the word *itarasya*, 'of the other' meaning of the one gone abroad, and for a surety who is dead, the rule is stated in the second verse, and thus there is no repetition. This is the principle.

Those who stood sureties for payment, their sons should pay; this is the construction.

Bahava iti. If there are several sureties then they should pay upon a non-payment by the debtor, such portion of the amount of the debt as is proportionate to the fraction agreed to by each. Where a particular fraction has been fixed by an arrangement, there the adjustment is to be made under the rules: 'Equal shall be where no specification has been declared.' The word bahavah, 'several' is indicative of more to an one; therefore it should be noted that where there are two sureties, there also this arrangement tolds.

^{1.} Oh. XI.-40, 41.

^{2.} i. e Verse 53.

^{3.} समं न्याद्दुनित्यात् is the full statement of the rule. Where no portion has been expressly specified, there the shares shall be equal.

See Jaimini X. III. 53-54. This is the 13th Adhikarana which has been stated thus:—

स विभागः सभी ने। वा विशेषाभवणात्सभः । वैषम्यं स्याद्यथा यासमेवं तत्स्यात्समारूवया ॥ २३ ॥
This max m is illustrated in the Parisishta to the Paraskara Grhya Sutra,
where oblations to the several deities are prescribed—As no number is specified,
one for each equally is the inference,

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Among these sureties, ekachhayásriteshu, 'those who are bound jointly and severally', dhanikasya, 'of the creditor', yatháruchi, 'according to (his) option', in accordance as he desires, dadyuh, 'should pay'. Ekachhayá, 'one image', i.e. having one entity in the matter of the payment of the entire debt, under an agreement with the creditor insisting thus: 'I shall recover from any one I choose', and accepted by the sureties. In this form, by the sons of the sureties also who could be pursued for the payment, must be paid what their father was liable to pay, but without interest; this has been stated before. (55).

The Author mentions the rule regarding repayment by the debtor of the amount paid by the surety, pratibhûrdâpita iti, 'which a surety has been made to pay &c.', that amount, which the 'surety', pratibhûh, prahûśam, 'publicly', i. e. in the presence of witnesses, by the king and the like, has been compelled to pay in regard to the creditors, that becomes payable in double quantity by the debtors to the sureties. This, moreover, is to be observed at the time proper for the increase by double. (56).

The interest is to begin to run three weeks after the payment made by the sureties, vide this text of Brhaspati¹: "One who being under a surety obligation, pays when pressed as a surety (by the creditor), after three fortnights, that amount he is entitled to receive in double". So also any other amount spent by the surety in connection with the suretyship, must be paid by the debtor, as says Kâtyâyana²: "Whatever has been paid by one on account of another, when pressed by the creditor, and proved by with esses, that amount the surety should recover".

Of the rule stated above as to the doubling, the Anthor mentions an exception: Sasantatch³, 'together with the progeny'. A woman, and a beast toge her make the compound word 'temales and beasts'; that given by the surety together with the progeny v z at the time of the transfer, as much progeny is born, along with that the debtor should pay to the surety. This is the meaning. The word progeny is also indicative by implication of labour according to the mage of the time.

In the Mitaksh ra the reading is santatih stripasashwera, 'progeny itself in the case of female beasts'. Its meaning is, that in the case of female beasts, the progeny is interest which was agreed to between the debtor and the creditor, that should be made over to the surety by the debtor.

^{1.} Oh. XI. 44,

^{2.} Verse, 540.

^{3.} Mitramièra and Śulapâni read संसन्तानि स्त्रीपश्चर्य for सन्तानि: स्त्रीपश्चरभेद in Verse 57.

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Dhânyamiti, 'corn &c.', where, whichever is the highest interest, there that together with the amount of interest should be paid to the surety, is the collective sense. By the use of the word eva, 'only', is excluded the calculation of any more interest. By the use twice of the word cha, 'and also', are added five-fold in the case of corn only, and in the case of trifles (the rate of) increase is not stated here. (53-57).

S'ûlapâņi.

To this, the Author mentions an exception

Yâjňavalkya, Verse 57.

A woman and a beast, make up (the compound) a woman and the beast'; debt in the form of these is women and beasts'. Where women slaves, or she-goats etc. have been recovered by the creditor from the surety, there, the surety should recover from the debtor, the women slaves, or the she-goats etc. together with the progeny also. Grain etc. as stated before. All other things at double. (57).

THE LAW OF PLEDGES.

In a loan transaction of money, the guarantee to be offe ed to to the creditor is two-fold viz. a surety and a pledge. As says Narada¹: 'The guarantee to be offered to the creditor is two-fold; (viz.) a surety and a pledge.'' Of these (the law as to) surety has 20 been dealt with. Now the pledge is being described. Adhi, pedge, is that which is deposited i. e. hypothecated The law of by the debtor with the creditor for the sake of pledges. (creating) confidence for the amount borrowed, (that) is an A hi. That moreover, is two-fold: 25 Kṛtakâlaḥ, a pledge with a time-limit, and Akṛtakâlaḥ, a pledge

Kṛtakâlaḥ, a pledge with a time-limit, and Akṛtakâlaḥ, a pledge with no time-limit. Each of these again is two-fold: A pledge for custody, and a pledge for use. As says Nârada²: "A pledge is that which is deposited and is known to be of two kinds; one for (the redemption of) which a time limit is fixed, and the (other) which is to be retained until payment". Again, it is said to be two-

1 (h. I. . . 7.

^{2.} I. 124 Dr. Jolly translates thus: "That to which a title is given (adhikriyate) is called a pledge.

fold; a pledge for mere custody, and a pledge for enjoyment. 'At the period fixed' i. e. at the time of the loan Kinds of pledges. itself. e. g. (with the word) at such and such a time e.g. at the illumination festival—this pledge is to be redeemed by me, otherwise it will become yours. At the time 5 thus appointed (it is) to be taken away, i. e. to be taken near him-in other words-to be redeemed. Deyam, 'what is to be given', means (the act of) giving. 'Until payment.' navad leyum, means without prejudice to the Deyam. Udyatah, means fixed i. e. appointed. Yavaddeyodyatah, 'fixed until 10 * PAGE 39. payment' means the time for which is the interval for the repayment of the borrowed amount, i. e. for which the time has not been fixed. For safe custody i.e. for being preserved.

Yâjñavalkya, Verse 58

A pledge lapses if (it is) not redeemed by the time 15 the principal amount is doubled; that with a time limit, (lapses) by (the lapse of) the time; a usufructuary pledge never lapses.

20 Special rules described above.

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Mitāksharâ:—If, yadi, i.e. when, dhane the amount, lent becomes double in course of time with the addition of interest as fixed by himself, na about the pledge mokshyate, (the pledge) is not redeemed by the & its four kinds debtor by the payment of money, then it lapses. i. e. the property of the debtor becomes the lender's own. kâlakrtah, with a time-limit. The word kâla has been placed first under the rule of grammar in

Ahitāgnyâdishu1-" in (the compounds) Ahitāgni and the like, the words formed by the past passive participial terminations may be placed optionally at the beginning or end." That, moreover, nas'yet, will lapse; kale, when the appointed time is reached, whether before or after it is doubled. phalabhogyah, usufructuary, is that where the profits are to be enjoyed, (e.g.) field, garden &c. That, na nasyati, does not lapse, at any time. By the text; "At

^{1.} Vyakarana Sútra 2-2-37 'aufgar-aufgg.'

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the time fixed, that with a time-limit lapses" the lapse of both kinds of pledges limited in time-viz. for safe custody and for enjoyment has been laid down. The absence of a lapse of a pledge without a time-limit has been stated in the text: "a usufructuary pledge does not perish." Therefore by 'the rule of the remainder' the text viz: "A pledge would lapse &c." comes to be in reference to the pledge for safe custody, and not to one having a time-limit.

When a lapse occurs whether on account of the transgression of the rule of doubling or by the violation of the condition as to the time fixed (by the parties), a fourteen day's waiting time should be observed—vide the text of Bṛhaspati² viz: "When gold is doubled or the stipulated period has elapsed, the creditor becomes the owner of the pledge after waiting for twice-seven days. During this period the debtor may redeem the pledge by paying the amount".

It may be said 'it is improper to say that a pledge shall lapse' in the absence of circumstances such as gift, sale &c. which (would) cause a cessation of the debtor's ownership, as also in the absence of circumstances which would create the creditor's ownership, such as acceptance, purchase &c., and also because there would be a disagreement with the text of Manu³: viz. "Nor, moreover, can there be a transfer or sale of a pledge on account of length of time." Kâlasamrodha—' Accumulation on account of time'—(the pledge) standing over for a long time. On account of the Kalasamrodha i. e. the debt remaining over for a long time, there cannot be a transfer (na nisargosti) of a pledge, i e. there cannot be hypothecation with another, nor also a sale (na cha vikrayah) Thus from the prohibition against hypothecation or sale (of a pledge) an absence of ownership of the creditor is deduced. (To this) the answer is: Even the act of pledging itself is considered as a circumstance, although coupled with a contingent condition, creating the creditor's ownership. The acceptance of a pledge also is well known in the world as a circumstance, also coupled with a contingency, creating the creditor's ownership. So when the amount becomes doubled, and also when the appointed time has arrived, the right of paying

2. Oh. XI. 27.

^{1.} i. e. the first half of verse 58.

^{3.} Oh. VIII. 143.

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the amount becomes entirely extinct, and therefore under the present text1 there occurs an entire cessation of the debtor's right of ownership, and the ownership of the creditor becomes absolute. Nor, moreover, is there a conflict with the text of Manu². For. the text: "Nor, moreover, can there be a transfer or sale of a piedle on account of length of time" has been stated after introlucing a pledge for enjoyment thus: "Nor, however, can he get interest on the loan when the pledge is for use". And there being a prohibition against hypothecation or sale in the case of a pledge for use and enjoyment, the creditor cannot acquire ownership. Here also it bas 10 been said, viz: "one for enjoyment of profits does not lapse."

In the case of a pledge for custody, however, Manu³ has stated (the rule) separately: "A pledge (for custody only) must not be used by force; (and) one (so) using it shall forfeit the interest," Here also it will be said hereafter4: 'There shall be no interest if a pledge for safe custody is used." The text: 'A pledge when doubled lapses" has been stated with reference to a pledge for custody. Thus everything is without a contradiction.

Viramitrodaya.

Every month in the case of a pledge', so has been stated; there 20 in regard to pledges, the Author states special rules upto the end of the chapter

Yanjavalkya, Verse 58.

There, a pledge is of four kinds, as differentiated by the several element's of character, kind, time-limit, and form. So also Brhaspatie: "A pledge is termed bandha, and is declared to be of four sorts; movable or immovable; to be kept only, or to be used; to be released at any time, or limited as to time; stated in writing, or stipulated (orally) before witnesses". By reason of its being indicated as to its four-fold nature 30 by regard to its character, etc., such as the four kinds such as movable, immovable, etc., and thus of four kinds. 'Stated in writing', i.e., having an evidentiary support stronger than witnesses.

^{1.} i. e. of Yājñavalkya.

^{2.} VIII. 143 i. e. the one referred to above.

^{3.} Ch. VIII. 144.

^{4.} Verse 59 further on.

^{5.} Verse 37 above see p. 763, l. 26.

^{6.} Ch. XI. 17.

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however, are to be interpreted as not to contradict this; this is in short the import.

If after the principal amount has become doubled it is not redeemed by the debtor, then the right of the debtor lapses. Kâlakṛtaḥ, 'that with a time limit', i.e., one for which a period has been fixed, i.e. 'if by such and such a date the pledge is not redeemed by me then it becomes your property by right of ownership', thus with a time limit agreed upon. A pledge to be used or for custody only of this sort; Kâle, 'at the time', i.e., at the time fixed in that manner, upon the debtor not making the payment back of the debt, nasyet, 'shall lapse', i.e., will be removed out of the ownership of the debtor. This is the meaning according to the Mitâksharâ and others.

The revered Author of the Ratnâkara, however, maintains that this text is to be differently interpreted: as in the case of transactions—such as regarding bronze, etc., where no agreement was made, there, without the consent of the debtor, dealing with the property as his own by the creditor is not seen generally. That interpretation is thus: where the debtor himself stipulates by a declaration thus, 'When the amount becomes doubled and I do not redeem the pledge, then this (pledged article) will indeed be yours', then after the amount has become doubled and no redemption has taken place, the right of the debtor becomes extinct. Here the reason is Kâlakrtah, 'with a time-limit'—where a time has been fixed at which one's ownership will become extinct and the right of ownership of the creditor will spring up—such a pledge becomes lapsed by the time fixed.

A pledge with possession for the enjoyment of the fruit, however, where no time is fixed, does not lapse even by thousand years. 'When it becomes double, it has to be redeemed by me' with such an agreement finally made where a pledge was deposited by the owner, i.e., a pledge for custody, such a pledge, when the amount has become doubled and is not redeemed, lapses. Double is indicative of the highest limit of the increase.

A pledge for possession, however, although thus stipulated for, if it becomes doubled on account of depreciation or investment, does not lapse even if not redeemed. Kalakṛtaḥ, 'with a time limit' i.e., where a time limit has been made, such as, 'within such period if it is not redeemed, then it will be yours indeed', and the like stipulation, when not redeemed, the entire pledge lapses. Thus the clause 'when the amount is doubled' should be taken as stated. In the case of a conflict with the usage of the S'ishṭās, however, it should be taken as

indicative by implication of a particular period of time. Such an interpretation, moreover, appears to be better.

In regard to the expression pranasyet, 'lapses', Brhaspati' states a special rule: "When the time (for payment) has passed, and interest has ceased, the creditor shall become the owner of the pledge; but before ten days have elapsed, the debtor is entitled to redeem it". Vyasa also, "When gold has become doubled on account of the completion of the time in the stipulated period, the creditor becomes the owner of the pledge, after waiting, however, for two weeks." Here the decision is to be reached according as the debtor is well placed or is not well-placed. (58)

S'ûlapâni

Yâjñavalkya, Verse 58.

After the amount has become doubled if the pledge is not redeemed by the debtor, then it lapses e. g. it becomes the property of the person advancing the amount. If a period of time has been stipulated by himself, then when that is reached, it lapses. Vyasa states a special rule: "After gold has become doubled, by the completion of the interval under the stipulated period, the creditor becomes the owner of the pledge, after waiting, however, for three weeks; during this interval, the debtor may redeem the pledge by paying the amount". (58),

Yâjñavalkya, Verse 59.

There shall be no interest if a pledge for custody be used, or one for use be damaged. If a pledge is spoiled or destroyed it shall be paid, unless it be by the act of God or the King.

Mitâksharâ:-Moreover, gopyâdheh, of a pledge for custody,

e.g. a copper pan, there shall be no interest in

*Page 40. case of any use (made thereof). Although
the use be slight, even a large (amount of)

30 interest would be forfeited, as there is a breach of contract. So also,
where the pledge is for possession and use, and the object of
enjoyment, such as a bull or a copper pan, which is pledged with
interest is damaged i.e. has been rendered unfit for (being dealt with
in) any transaction, there is no interest. This is the context.

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^{1.} Ch. XI. 25.

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A pledge which has been spoiled, nashtah, i. e., has undergone deterioration e. g. a copper pot &c. on account of a hole or on account of its being broken &c. should be made as (it was) before and returned. Here a pledge for custody, if damaged, should be returned after it is restored to its former condition. And if it is used also, even the interest shall be forfeited.

A pledge for use if spoiled should be made as (it was) before and (then) returned. If it carries interest, the interest should be given up. When it is destroyed i. e., has perished entirely, such a one also should be paid by paying the price. By paying it, he gets the amount with interest. When he does not pay then (even) the principal amount lapses. Vide the text of Narada1:-"If it is destroyed, the principal lapses unless the loss is caused by fate or the king." Unless it be by fate (superior force) or the king; fate, Daivam, i. e., fire, water, and generally any misfortune &c. Unless it be without the loss caused by superior force and also by the king when it is without any fault on his part. In case where the destruction is caused by fate or the king, the original principal with interest or a fresh pledge should be given by the debtor. As is said: "When land is washed off by a stream, and also when it is taken away by the king, another pledge should be given, or the amount paid to the creditor." Here 'washed off by a stream' is indicative of consequences of a vis major.

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graficaci campai na éca Yajñavalkya, Verse 59. e

Gopyadheh, of a pledge for custody, such as copper, silver &c. upabhoge, on being used, even though very small, vrddhih, interest, although large, no, 'does not' accrue, by reason of the transgression of the contract. Similarly, sopakare, in the case of one for use' e.g., in the case of a cow &c., where the consideration takes the form of enjoyment and use, tatha hapite, is so damaged, i.e. has been rendered unfit for (being dealt with in) any transaction, for that pledge there would be no interest.

Mashto, 'spoiled', by being broken or otherwise, has become entirely unfit for (being used in) any transaction whatsoever, vinashto,

^{1.} Ch. I. 126.

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'destroyed entirely' i.e., reduced to destruction—by the use of the word cha, 'also', carried away by thieves—by the creditor, the pledge, deyah 'should be paid', to the debtor.

The expression 'excepting when it is due to a calamity caused by fate or the king' is connected with the words 'damaged' and all other expressions. Its import is—'due to the fault of the creditor'. By the anse of the word atha, 'or', stated before the word 'damaged', the expression 'unless caused by fate or the king' is severally connected with the two.

If, however, he does not give, then the principal amount becomes a forfeit, vide the text of Narada1: "If it has been lost, the principal is forfeited, provided the loss was not caused by an unseen force or the king."

Where, however, as compared with the loan advanced, very valuable jewels, etc., had been pledged and is either damaged or destroyed, there, whatever in excess the value of the amount advanced may be, that the creditor should pay to the debtor; vide the text of Brhaspati²: "If on account of its being used, a pledge is rendered worthless, the principal (itself) is lost; if a very valuable pledge be spoiled, in that case he must satisfy the debtor", and also vide the text of Vyâsa: "Through the fault of the pawnee, if a pledge consisting of gold or the like be lost, the debt together with the interest is accounted for, and the creditor is compelled to pay the value of the pledge."

The text of Manu³: "The fool, who, without the permission of the owner puts the pledge to use, shall remit half the amount of interest as compensation for the use", is to be used in reference by pledge not for use of things like a slave and the like, where use is anticipated. In such a case, however, the loss of the entire amount of interest has been stated by the Author, and thus there is no conflict. (59).

S'ûlapâņi.

Yâjñavalkya, Verse 59.

A pledge for custody such as cloth, ornaments etc., or one for use, such as a cow etc. if rendered unfit for (being used in) any transaction, except in cases of superior force or the king; or where it is entirely destroyed or is completely deformed, should be restored to the pledger as

^{1.} Oh, I 126

^{2.} Ch. XI. 20.

^{3.} Oh. VIII. 151.

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it was in the original. So **Brhaspa**ti¹: "If a pledge be destroyed by a fatal accident or by an act of the king, the debtor shall be required either to deliver another pledge or to pay the debt" (59).

Yâjñavalkya, Verse 60.

The (contract of) pledge is established by the (proof of its) acceptance (by the creditor). If it suffers deterioration even when carefully kept, another must be substituted, or the creditor must receive the amount (due to him).

Mitakshara: -- Moreover, adheh, of a pledge, i. e., of the one for use as well as that for custody; swikaranat, by (the proof of its) acceptance, i.e. use; siddhih, proof, of its acceptance and not merely by Pledge. witnesses, and writing, nor by (the proof of) As says Nârada: "Âdhi is said to be of two kinds," mere intention. viz., (of) movables as well as (of) immovables. Both of these will be deemed to be established if there is possession, not otherwise." And the result of this is: "In the case of a pledge, gift, or sale, proof of a prior transaction is however stronger3" i. e., in transactions which have been completed by acceptance, evidence of a prior one is stronger, while the one in which there is no acceptance will not have force even though it be prior. And if such a pledge, even while it is being carefully protected in course of time, suffers asâratām, deterioration, i. e. becomes insufficient (as a security) for (the payment of) the original principal and interest even though not changed (in form), then either another pledge should be offered. or the amount of the debt be paid to the creditor.

^{1.} Ch. XI. 21. Here apparently this text is cited in amplification of the exception to indicate the procedure where the loss or deterioration takes place under an act of God or of the king, thus pointing to the deltor's liability to replace the pledge and not the creditor's duty, which is the principal point in the rule stressed in the above verse of Yajavalkya.

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By saying "deterioration even though carefully kept" it has been indicated that the pledge should be carefully kept by the creditor.

Viramitrodaya. Yâj^ñavalkaya, Verse 60.

A'dheh, 'of a pledge', swikaranat, 'by the acceptance', such as of a pledge for custody by delivering it over, and of a pledge for use, by enjoyment, siddih, 'is the establishment', and not merely by the writing and other means, vide the text of Narada1: "A pledge, however, has been declared to be of two kinds, viz., (of) movables as well as (of) immovables. Both of these will be deemed to be established if there is possession, not otherwise."

By this, in the text2: "In the case of a pledge, a gift, or a sale. etc., the prior alone has preponderance". Proof of possession is stronger. and the conclusion that is deduced is that a prior one without possession. however, although prior is not stronger.

Such a pledge, however, rakshyamanopi, 'even while carefully protected', if it suffers deterioration in course of time, then another pledge should be placed by the debtor, or the amount of the debt should be paid to the creditor. The word Api, 'even', has the sense of opposition. In the case of the cow and the like, if it be lost, by a fatal accident, the principal becomes lost. Here also the usage of the caste alone is the authority. (61),

S'ûlapâni.

Yajñavalkya, Verse 60.

Adheh 'of a pledge' siddhih, 'the establishment,' is by the acceptance i. e. by possession and not by mere intention. So Vyâsa: "A pledge is said to be of two kinds viz: (of) movables as well as (of) immovables. Both of these shall be deemed to be established if there is possession, not otherwise" (60).

The Author mentions an exception to the rule "A pledge lapses if doubled &c. 25

^{21. 1 1} Oh-I. 139. 1 1 1 1 23. See above p. 718 The same verse is assigned to Narada, where it is found at Oh. I. 139. 4. Yājā, II, 58 (above). 20 .8

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Yâjñavalkya, Verse 61.

In the case of a debt contracted on a Charitra pledge, the amont must be paid with interest, and in the case of a debt contracted on a chattel delivered as an earnest, he shall pay twofold.

Mitâksharâ:—Charitram, conduct i. e. good conduct.

Pledge by a charitra is a Charitra pledge.

Exception to Upon (the strength of) that whatever amount the rule that 'a has been borrowed and kept for self or given pledge lapses to another. This is the purport. Relying upon 10 when the debt the good faith of the creditor where a thing is doubled.' even though very valuable, has been made over

by the debtor to the creditor, and only a small amount is borrowed, or, where, relying upon the good faith of the debtor, the creditor has advanced a large amount to the debtor even 15 after taking a pledge of a small value, that amount the king should cause to be paid with interest. The purport is this: A pledge of this sort does not lapse even though the amount is doubled, on the other hand the amount only should be paid (to the extent of the) double.

Similarly, satyankārakṛtam. Kâra (an act) is the same thing as) Karaṇa (making). The affix Ghañ (মন্ত্র) is used here to denote action. (মান Bhāva). The making of truth is Satyankāraḥ. The augment মুন্ (mum) is used under the rule of grammar (6-3, 70) "মুন্ is the augment of सत्य and প্রান্থ when the word কার follows." That which is made by means of a Satyankāra is a Satyankārakṛta. This is the meaning intended. When even at the time of offering the pledge itself it was agreed thus viz. "even when the debt is doubled, I am to pay the double amount only, and the pledge is not to lapse" then the double should be caused to be paid.

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Another meaning (is this): Where Charitra itself is the pledge it is called a charitra-bandhaka. By the word Charitra

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^{1.} i. e. the কাৰে which is the expression of action, is used in the abstract sense. কাৰ is the same as কলে.

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is expressed that unseen! virtue known as apûrva, which is born of a bath in the Ganges or of (the performance of) the Agnihotra².

Where that (i. e. the Charitra) itself is pledged and money is received, then the doubled amount itself is to be returned, but there is no lapse of the pledge.

While discussing the pledge, another (kind of loan) is being described, satyankârakṛtamiti. Whatever a thing, such as a ring &c. has been placed in the hands of another with a view to complete the agreement of sale and purchase, the double of that thing should be paid if the agreement is broken. Even there, if the person by whom the ring &c. is deposited himself breaks the contract, he should give the thing itself. If the other party commits a breach of the contract, then a double of the ring &c. itself should be returned.

Viramitrodaya

Yâjñavalkya, Verse 61.

Charitrena, 'by charitra,' by good conduct, bandhakam krtam, 'taken as a pledge', i.e., by the creditor accepted to himself a thing of great value, or of a value less than the loan, there the king or the like should compel the debtor to pay the amount together with interest. When the amount becomes doubled, the pledge lapses.

Charitra, i e., religious merit, where has been made (the subject of) a pledge, there the obligation as a debt, of the religious merit does not become extinct, but the money must be caused to be paid together with the interest. This is the meaning.

Satyankâro—"even when the amount has doubled itself, the pledge will not become yours, but on the other hand I am liable to pay the doubled amount itself"—under such an agreement when an article is

^{1.} Mark this term. Aga is sometimes expressed as Age. It is that unseen virtue which is a relation superinduced, not before possessed, unseen but efficacious to connect the consequence with its past and remote cause and to bring about at a distant period or in another world the relative effect. All the Vedic injunctions laying down the performance of ceremonies and rituals which do not bear any direct tangible fruit derive force from their capacity to create this aga.

^{2.} अमिहोत्र is the initiation and maintenance of the sacred fire by offering oblations to it. This is of two kinds: नित्य-ordinary, and काय-occasional?

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pledged; Dwigunam pratidapayet, 'he must be made to pay the double'; i.e., otherwise the pledge lapses. The Sâmpradâyikas, however, construe it that this has been stated by the Author in regard to a position which arises when for the purpose of facilitating the arrangement regarding a transaction of a gitt or a sale, an article such as a ring &c. has been made over into the hands of the seller, and the seller has exceeded the limits of the arrangement, he should pay to the buyer the double. If, however, the transgression is made by the buyer himself, then he also should pay double the amount to the seller. (61)

S'ûlapâni

Yâjñavalkya, Verse 61.

 $Ch\overline{a}ritryam$, 'religious merit', such as the maintenance of the perpetual fire agnihotra, a bath in the Ganges etc.—by pledging that itself what has been borrowed, that must be paid back with interest.

Where a pledge of small value with the undertaking "Truly I shall 15 redeem this" has been given, that in the long period is to be paid back double, and must not be sold by the creditor. This is the meaning.

Charitrabandham is the reading by Visvarûpa (61).

Yâjñavalkya, Verse 62.

A pledge should be restored to the debtor when he 20 comes to redeem it, otherwise the creditor would be (liable as) a thief. If the creditor be not available, the debtor may pay the amount to (a member of) his family and take back his pledge.

Mitakshara:—Moreover, upasthitasya, of one who has 25 come for redeeming his pledge by paying the Redemption amount, adhirmoktawyah, the pledge should of a pledge. be restored, by the creditor, and it should not be detained out of a greed for interest.

Anyathâ, otherwise, i. e. if it is not restored, being just in the position of stenah, a thief, he would be punishable like a thief. When, however, the creditor is absent, after placing the dhanam, amount, together with interest kule, in the family, i. e., in the hands of his relatives, the debtor should take back his own pledge.

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S'ûlapâni.

Yâjñavalkya, Verse 62.

To a debtor who has come to redeem the pledge, after taking the amount together with interest the creditor should release the pledge; otherwise he would be regarded as a thief.

If the person who had accepted the pledge be not available, the amount should be placed i.e. deposited in his family, and he should get back the pledge. (62).

If, however, the creditor be absent and there are no relatives of his (who are ready) to take the amount, or when the creditor is absent and the debtor wishes to pay the amount by selling the pledge, then (the question would be) what should be done? (Anticipating this) the Author says

Yâjñavalkya, Verse 63 (1).

15 Or appraised at its value at that time the pledge will remain there without interest.

Mitâksharâ:—Tatkáleti, after ascertaining the value which the pledge had at that time, he may deposit the pledge even tatra, there, i. e. with the creditor, without interest; it does not carry interest thereafter, till the creditor restores the pledge after taking the amount or cause to be paid to the debtor an amount equal to its value.

When it was settled at the time of (advancing) the loan that 'even if the debt were doubled, a double amount only should be taken, and the pledge should not lapse', then when the debt is doubled and the debtor is not near (the question would be) what should the creditor do? Anticipating this, the Author says

Yâjñavalkya, Verse 63 (2).

(Or the creditor) may sell (the pledge) in the presence of witnesses even without (the presence of) the debtor.

Mitâksharâ:—dhâranikāt vinâ, without the debtor, i. e. when the debtor is not present, the creditor should recover the

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amount after vikriya, selling the pledge in the presence of witnesses and also of his relatives.

The word wa, or, is intended to lay down the rule of distribution in the optional case that would arise. It is in this way: When it has not been agreed at the time of (advancing) the loan that 'even if the debt were doubled, the amount only should be taken and the pledge should not lapse, 'then under the text' 'a pledge shall lapse when doubled &c. 'the pledge shall lapse. In the case of (an express) contract, however, the rule laid down here (should be followed).

Viramitrodaya.

Yajnavalkya, Verses 62 & 63

To a debtor who has come for paying off the amount and redeem the pledge $\hat{A}dhih$, 'the pledge', moktavyah, 'should be released', by the creditor, to the debtor, anyatha, otherwise, through covetousness for interest, if it is not released, the creditor, is stenah 'a thief', i.e., becomes liable to be punished like a thief. This rule as to obstructive non-release is to be understood as he has the power. The general exception viz. "unless it is caused by superior force or the king' holds everywhere where it is fit to be applied.

Prayojake, 'the creditor' i.e., the one who advanced the loan, asati, 'be not available', i.e., be dead, or has gone abroad, or has become an ascetic; kule, 'in the family', i.e., among those who are entitled to take the assets of the creditor, in the order commencing with 'the sons and the rest', dhanam, 'the amount', together with interest, nyasya, 'having taken', i.e., having deposited, his own 'pledge he should get back', adhim apnuyat. (62).

If, however, there is none whatsoever competent to take the assets of the creditor who has gone abroad, then as evaluated at that time, the pledge shall remain tatra; 'there', i.e., in the house of the creditor advancing the loan, without (carrying) interest. The meaning is, that when the money is not accepted ewing to the fault of the creditor, after that time interest will not run.

Dhâranako, 'the debtor', at the time fixed for the redemption of the pledge, is not near at hand, then the creditor, should sell the pledge 35

1. See note 4 on pp. 708-709 above. 2. Verse, 58.

^{3.} i.e. it applies when the creditor taking advantage of his position to dictate refuses the delivery back,

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in the presence of witnesses. The rule is, that in such a case after taking (back) his own amount, the balance he should deliver over to the king. By the use of the word api, 'even', are included those who are entitled to the estate of the debtor. (62, 63).

S'ûlapâņi.

Yâjñavalkya, Verse 63.

If the pledge is, on any account, not given (back) to the debtor, then being assessed for its value at that time, it shall remain at that, at 10 the house of the taker of the pledge.

When however, dhâraṇako, 'the creator of the pledge' is not available, then after selling it, the creditor may take his own amount, and pass over (the remainder) to the king. (63)

Yâjñavalkya, Verse 64.

When, however, a debt under a transaction of pledge has become doubled (by the accumulation of interest), then the pledge shall be returned after double the principal amount has been received (by the creditor) from the profits.

Mitakshara: --Yada, when, the amount advanced, dwigunibhûtam, has become doubled, tadâ. The Authormen- then, tadutpanne, from the profit, i.e., from tions a special case the receipts derived from the pledge, tadâdhau, of a usufructuary after the pledge was made and when dwigune, a double, has been pravishte, received, by the pledge. creditor, the pledge should be restored by the creditor. Or if the debt has become doubled without possession (being transferred) either on account of an agreement at the beginning that 'when the pledge is delivered and the debt has been doubled you should restore the pledge', or on account of some other reason the amount has become doubled, then, after the pledge has been made over to the creditor for enjoyment, it should be restored when the profits recovered from it make up the doubled amount. If more be enjoyed, that too should be restored. This text is intended to lay down the rule that a pledge is to be enjoyed only for paying

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off entirely the original loan together with interest. It is called in popular language a kṣhayâdhi, a pledge where the liability is diminished.¹

Where, however, it was agreed that possession of the pledge was intended only for (securing) the interest, there even if the amount has increased more * Page 42. than the double, the pledge will only until the payment of the original loan. This very thing has been made clear by Brhaspati: "The debtor shall get back the usufrucuary pledge the time for which has been matured or after paying off the principal amount; if it has exceeded, then the creditor does not get the amount The debtor also will not get back the pledge except with mutual consent." The meaning of this text is That wherein the profits are to be enjoyed is called a this: usufructuory mortgage or pledge. That moreover is twofold, that which is intended to pay off the original principal together with the interest, and the one to pay off interest simply. Of these also, in the case of a mortgage which is intended to pay off the original principal and the interest, the debtor shall get back the pledge when the time for (payment of) it becomes matured (Pùrnakālam), i.e., when the original amount together with the principal has been received by the creditor, then the debtor shall get back the pledge. In the case of the pledge which is intended for reduction of the interest only, the debtor shall get it back after paying off the principal amount. Sâmaka is the same as sama (equal), i.e., equal to the original principal. The (same) Author mentions an exception to this: 'if it has exceeded without mutual consent'. It, i.e. the pledge, has exceeded, i.e. has transgressed the limit, i.e. if the profits have exceeded even the interest, then the creditor will not get the amount. The creditor does not get the principal amount, i.e the debtor shall get back the pledge even without paying the original amount advanced. If, however, the pledge has not been exceeded, and is even insufficient for (paying off) the interest, then even after paying off the principal, the debtor will not get back the pledge, but will get it only after paying away the balance of interest. Again the (same)

^{1.} Of. the Mortuum vadium of English Equity.

Author mentions an exception to both these rules. The text 'if it has exceeded, &c.' has been mentioned as applying in the absence of a mutual agreement between the creditor and the debtor. With mutual consent, however, even if the pledge be exceeded, the creditor may enjoy it until the original principal is paid, and also (on the other hand) even if it be insufficient, the debtor gets it back by the payment of the original principal only.

Here ends the Chapter on the Recovery of Debts.

Viramitrodaya

The Author states a special rule in the case of a pledge with possession.

Yajñavalkya, Verse 64.

If Rnam adhau, 'a debt under a pledge', on account of enjoyment, dwigunibhatam, 'has become doubled', then when the amount so doubled has passed to him, the pledge should be released by the creditor. This is the meaning.

This is what is called a Kshayadhi 'a self-effacing pledge.' This, moreover, would be so when it has been so agreed upon by the creditor, as it is based on the same principle as the text of Vishnu' viz.: "Even 20 if the maximum amount of interest is paid, the mortgaged article, if it is immovable (shall not be returned), unless there be an agreement to that effect."

One who is afraid of an illegality, should release the pledge; vide this text of Brhaspati²: "Where the use of a pledge (is continued) 25 after twice the principal has been realised, (receipt) of the compound interest and the exaction of the principal and interest, that is (called) usury, and is reprehensible."

It is also said that except under a special agreement it does not carry interest. (64)

30 Here ends, in the commentary on Yajñavalkya,

The Chapter on the Recovery of Debts.

S'ûlapâni.

Yajnavalkya, Verse 64.

"When the profits of this reach double the quantity of the amount, my pledge is to be released", thus saying when a pledge is offered, then when from its income double the amount (advanced) has been realized, then the pledge is to be released and not to be enjoyed. (64)

Chapter IV.

THE LAW OF DEPOSITS.

Yâjñavalkya, Verse 65.

Property which being placed in a box is delivered into the hands of another without being described, is called a deposit; (and it) should be returned in the same condition (in which it was when delivered).

Mitakshara:—A thing which holds the things deposited, being different from it, is a Vasana, box, a 15 receptacle, e.g., a Karanda, &c. dravyam; Upanidhiproperty, wasanastha, which is placed in it. described. the particulars as to the quality and the quantity of which anakhyaya, is without being described i. e. mentioned, and (after it is) sealed, arpyate, is delivered, in confidence for safe preservation, anyasya haste, in the hand of another, that property is called, aupanidhikam, deposited property. As says Narada: "That (property) which being under a seal is deposited without being counted or known, should be known as an upanidhi; while it is known as nikshepa where it is counted." 25

Pratideyam tathaiva tat, should be returned in the same condition. The person with whom it has been deposited, should return i.e. restore it back to the depositor in the same condition in which it was delivered bearing the seals as before.

S'ûlapâpi

Yâjñavalkya, Verse 65.

Vâsanam, 'a receptacle' to hold the deposit, such as a casket etc.; placed there without detailing its form, number etc.; what is deposited in another's hand, that is aupanidhikam, 'deposited property'. That, tathaiva, 'as it was', i. e. marked with the seals etc. should be returned. (65)

The author mentions an exception to the rule as to restoration Yâjñavalkya, Verse 66 (1).

That, however, which has been carried away by 10 (an act of) the king, Providence, or thieves shall not be caused to be restored.

Mitâksharâ:-Tam, that, deposit, which was carried away râjñâ daivena, by (an act of) the king or by An exception to Providence e. g. by floods &c. or by thieves, the rule as to res- taskaraih, and has (thus) perished, na dapyah, 15 he shall not be compelled to restore. Of him with toration οť an whom it was deposited, viz. the creditor, the upanidhi. property lost being that of the real owner2 himself, provided it (i. e. the loss) was not brought about by fraud. As says Narada4:—"If a deposit is lost, together with the property of 20 the depositary, the loss shall be the depositor's. The same rule shall obtain, if the loss has been caused by fate or by the king, unless the depositary should have acted fraudulently."

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See also Kâtyâyana Verse 594.

^{2.} The word *Dhanin* (খনিৰ) here stands for the debtor who is the real owner of the thing deposited. The meaning is that if a loss takes place under the conditions specified the loss is that of the depositor and not of the depositee. Of. s. 153 of the Indian Contract Act.

^{3.} Mark the expression—जिह्नकारितम्. If it were the object of the Author simply to indicate direct fraud on the part of the bailee the expression जिह्नकृतम् would have sufficed. But the suffix कारितम् is purposely used with a view to cover the case not only of direct fraud but of any fraud whether direct or indirect to which the creditor was a privy.

^{4.} Ch. II. 9.

The Authour mentions an exception to the above rule

Yâjñavalkya, Verse 66 (2).

When, however, the loss occurs after demand and non payment¹ the depositary should be fined and compelled to pay an (amount) equal (to the deposit).

Mitakshara:—When, margite, demanded, by the owner if he do not pay, then after that time, even if bhresho, the loss, i.e. the destruction occurs on account of the king &c., the bailee should be made to pay to the owner the amount as determined by (the value of) the original, as also to the king an equal fine.

S'ûlapâni. 66.

Yâjñavalkya, Verse 66.

If, when demanded and not delivered, its bhresho, 'loss', i. e. destruction, takes place, then he should be made to pay, and also a fine the king should take for himself. If it is lost owing to the fault of the depositor of the bailment, then he himself must pay, as says Kâtyâyana': "By whosesoever fault is the property lost or is taken away, he must be compelled to make good that amount together with interest excepting when caused by fate or the king." (66).

The Author mentions a penalty for (wrongful) appropriation.

Yājñavalkya, Verse 67 (1).

If he, (i. e. the bailee) of his own will,3 makes a living, he shall be punished, and also made to pay it with the increase.

Mitâksharâ:—He who, swechchchayâ, of his own will i. e. without the permission of the owner, ajīvati, makes a living i. e.

- 1. At p. 42. l. 30 इते is a misprint. It should be अइते—उइते.
- 2. Verse, 594.
- 3. In Roman law the use of a thing deposited without the consent of the owner constituted furtum (See Justinian Bk. IV. I. 6.). In English law such use would not be larceny without the intent to deprive altogether the owner of his property in the deposit.
 - 4. i.e. without the consent or permission of the bailor.

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appropriates or deals with it by lending (at interest) with a view to (make) a profit (out of) the money deposited, should be fined having regard to the extent of the appropriation and also of the profit (made by him); and he should also dapyah, be made to restore, the deposit 5 sodayam, together with the increase, i.e. in the case of an appropriation. together with interest, and in the case of a loan advanced, together with the gains realised (in the transaction). The (special) rule of interest (in such cases) has been stated by Katyayana2,: "A deposit, the balance of interest, (an article) sold, and (the price of) a thing purchased, if not paid on demand shall bear interest at five per cent." This rule moreover, is to be observed where there has been (complete). appropriation. In case, however, where it is lost on account of neglect or ignorance, the same (Author) has mentioned3 a special rule viz.:-- "Where the deposit has been appropriated and used up, he should be made to pay (it back together) with interast and an equal amount if neglected; where it (the deposit) has been lost on account of ignorance, he should be made to pay a little less." 'Little less' Kinchinnyûnam i. e. less by a fourth part.

The Author extends the rule regarding a deposit, to the cases 20 of Yâchita &c.

Yâjñavalkya, Verse 67 (2).

The same law applies in the cases of Yâchita, Anvâhita, Nyâsa, Nikshepa, and (such) other kinds (of deposits).

Mitakshara:—When, on festive occasions such as a marriage &c. clothes, ornaments &c. are begged for and taken away it is (called) a Yachitam. Where a thing is placed in the hands of one, and by him also has thereafter (anu) i. e. afterwards further on, been placed in the hands of another with (the direction): "(Please) give it to the owner" it is (called) an Anvahitam. What is known as Nyasa is a delivery to a member of the house in the absence of the owner and without being shown to him, with (the direction) "this

^{1.} The original word is द्रव्यं it may also mean a thing.

^{2.} Verse, 506. 3. Verse, 597.

^{4.} Cf. the Commodation of the Roman Law.

^{5.} There is a mistake in the print of the text on p. 43, l. 14. The correct reading is यहस्वामिने इर्शियत्वा and not यहस्वामिने दर्शियत्वा Nyasa is a secret deposit handed over to some member of the house in the absence of the owner.

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is to be made over to the owner of the house." A delivery in his presence, however, is a Nikshepa.

By the (use of the) word âdi, and others, are included cases of a deposit Nyasta e.g., of gold &c. in the hands, of a goldsmith &c. for preparing a bracelet &c. as also of mutual bailments as e.g. in cases where there occurs a need of each other with words "you should keep this mine, and I shall keep this yours," as says Nârada²: "The same law applies in the case of Yāchita, Anvâhita and other such deposits, articles made over to an artist, Nyâsa, and Pratinyâsa deposits." In the case of these i. e. the Yāchita &c. this very rule i. e. the rule in the case of a deposit, viz. of repayment &c., should be understood (as being applicable).

Here ends the Chapter on Deposits.

Viramitrodaya

In regard to Nikshepa or deposit, a title at law, the Author says 1

Yajnavalkya, Verses 65, 66, 67.

Vasanam, 'a receptacle' such as a casket or the like, fit to hold a deposited article; property lying there, the quantity &c., anakhyaya, 'without being declared', i.e., without mentioning, anyasya haste, 'in another's hand', for protection and out of confidence, arpyate, what 'is delivered', tadaupanidhikam, 'that is called an upanidhi' a special kind of deposit.

The general characteristics of a nikshepa deposit, however, should be noted as stated by Nārada: "Where one, out of confidence entrusts his own property with another without suspicion, it is called by the wise a deposit, a title of law". "Of a good family, of good conduct, well-versed in law, and a truth-teller," these and others stated by Manuare only an extension of (the qualities for) the confidence being reposed.

There, aupanidhiham dravyam, 'property which has been deposited as upanidhi,' tathaiva, 'as it was', i.e., without declaring or counting, as 30

^{1.} A Pratinyasa is a mutual bailment both parties exchanging deposits with one another.

^{2.} Ch. II, 14. 3, Ch. II, 1, 4, Ch. VIII, 180,

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before marked by the seals &c., pratideyam, 'is to be returned' to the depositor. (65)

There, an upanidhi, deposit, if either by the king, by Providential dispensation such as by fire, or by a thief, is taken away, in such cases the acceptor of the deposit is not to be compelled to make good to the depositor.

If, however, when margite, 'sought' i.e., demanded by the depositor, even then adatte, 'if not given', and in regard to that property a loss or deterioration occurs as being caused by the king or 10 Providence, that upanidhi by its value, to the depositor and an equal amount as fine to the king, the acceptor must be compelled to pay. By the use of the word cha, 'and also', is included the depositor.

Swechhayâ, 'of his own will', and not with the consent of the depositor, tam, 'that', i.e., the upanidhi, deposit, âjivan, 'makes a living upon', i.e., appropriates it by use for making a profit of the interest, râjñâ dandyah, 'he should be punished by the king'; tam 'that', upanidhim, 'deposit', sodayam, 'together with interest', he should be compelled to pay to the depositor.

Here moreover, Kâtyāyana¹ states the rule as to interest: "A 20 nikṣhepa deposit, the balance of interest, the proceeds of a sale, as also of a purchase, when being asked for if one does not pay, each carries interest at five per cent".

Manu²: "What was carried away by thieves, or drowned in water, as also what was consumed by fire, one need not pay; provided one does not appropriate any portion." Collecting together, i.e., taking a little, and the remainder he deposits elsewhere, or neglects the entire quantity, on the ground 'I am not to be responsible for it', then the whole must be made good. This is the meaning. Vyasa³: "Where the deposit has been appropriated and used up, he should be made to pay it, together with interest, and an equal amount if neglected; where it has been lost on account of ignorance, he should be made to pay a little less."

Manu⁴: "If by false means any man deprives another of his property, he along with his accomplices, shall be publicly punished by the various modes of corporal chastisements, Vadha, 'chastisement', such as beating, &c.

^{1.} Verse 506.

^{2.} Ch. VIII. 190.

^{3.} Vijnaneśvara assigns this text to Katyayana, while here and in Parasara Madhava it is assigned to Vyasa. See Katyayana Verse, 597.

^{4.} Oh. VIII. 194.

Yachita &c. Ayam, 'this', i.e., the one stated in connection with the upanidhi deposit, vidhih, 'rule', i e., the procedure, such as the liability or the non-liability to pay on occasions affected by the king or fate, should be understood in the case of Yachita and like other kinds of deposits. Where, on the occasion of a marriage or like festivity, clothes. 5 ornaments, etc., are asked for and borrowed on an undertaking for repayment, that is called Yachitam. Anvahitam, when the owner has deposited a thing with one, and by that one also, (anu) afterwards deposited further on with another under the direction of the depositor. Nyasa is that where without showing to the master of the house, and even in his absence, a deposit with his people with the words '(this is) to be made over to the master of the house.' Handing over an article to an artisan for preparing into an ornament, after describing it in his presence and giving it over to him is Nikshepa.

By the use of the word A'di, 'and like others' are included things bought (but not paid) and like others mentioned by Gautama1. For while stating the liabilities, under the text2 'the sons should discharge', Gautama, says: "An open deposit, a sealed deposit, a loan for use, an article brought3 on hire, and a pledge, when lost without the fault of the holder, (shall not involve) any blameless person.' Avakritam, an article 'brought on hire', i.e., brought by paying a rent.

When the depositor is available, the deposited article must be delivered over to him, so says Brhaspati4: "By whom soever has an article been deposited, and by whatever process, to him and in the same manner should it be delivered over to him and not to any other ". 'Any other', i.e., successor, such as the son and like others.

Manu5: "He who delivered himself, when dead, and the bailee delivers it back to his successor, he must not be charged by the king, nor by the cognates of the depositors."

Under a special agreement (to that effect), however, even when 30 the depositor is living, delivery to the successor may take place in regard to the Yachitaha, which has been almost described above; so says Kâtyâyana6: "After the (stipulated) time has arrived, and the purpose is over, when he does not deliver although asked for, if the article is lost

^{1.} Ch. XII. 38.

^{2.} Ch XI, 39.

^{3.} अदत्तमील्यमध्दत्तमील्यं वा, हरदत्तः -- Price entirely or partly not paid for.

^{4.} Ch. XII. 9.

^{5.} Ch. VIII. 187, 6. Verse, 607,

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or even taken away (by any other), then the borrower should take the price and offer it ". 'Lost'—even by an act of God.

Thus in the Commentary on Yajñavalkya ends the Chapter on Deposits.

S'ûlapâni.

Yâjñavalkya, Verse 67.

The Aupanidhi deposit, if the bailee puts to use without the consent of the depositor then he should be fined in an equal amount by the king, and the amount also should be caused to be paid to the depositor together with interest.

Yachitam, ornaments &c. brought for decoration. Where the right of ownership is given it is Nyasa: "Where through fear of robbers, king, and the enemies, and also for deceiving the Dāyādas, a chattel is deposited in the house of another man, that is called a Nyasa" thus characterised by Brhaspati'. "Where one's property, out of confidence one deposits with another without any suspicion, that is called Nikshepa by the wise" thus stated by Narada2. In regard to these also, the rule viz. "He is not to be made to pay what is taken away by you," is to be understood to apply. Vyasa3 states a special rule: "Where the deposit has been appropriated, he should be made to pay (it back together) with interest, and an equal amount if neglected; where it has been lost on account of ignorance he should be made to pay a little less."

Here ends the Chapter on Deposits.

Chapter V.

OF THE WITNESSES.

It has been said above⁴ that 'evidence has been laid down to consist of a writing, possession, and witnesses.' Of these, (the law as to) possession has been examined. Now begins an examination of the nature of (the rules of law as to) witnesses.

^{1.} Ch. XII. 2.

^{2.} Ch. II, 1.

^{3.} See note 3 on p. 842 above.

^{4.} Yâjn. II, Verse. 22, p. 743 ll. 16-18.

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One becomes a (proper) witness by his actually having seen or heard (a thing), as says Manu1:-" Witness Evidence is admissible if (it is) in accordance with Characteristics of witness. what has actually been seen or heard (by the witness)." Such a witness, moreover, is of two 5 kinds, appointed and unappointed. When marked as a witness, he is called an appointed, and when not marked, an Kinds unappointed. Of these the appointed is of of five2 kinds and the unappointed of six, and thus witnesses. these witnesses are of eleven kinds. 10 Nârada3:-"Eleven varieties of witnesses are distinguished in law by the learned. Five of them are known as appointed, and the other Six as unappointed." Their (further) classification has also

been indicated by the same Author⁴:—"A subscribing witness, one who has been reminded, a casual witness, a secret witness, an indirect witness, these are the five sorts of appointed witnesses".

* Page 44.

Kâtyâyana⁵ has described the characteristics of the subscribing and other witnesses (thus): "One who was invited by the claimant⁶ himself and who has been entered into the document, is called a subscribing witness, and who has been made to remember without the document (being shown to him) (371)" The same Author has explained the meaning of the expression 'Made to remember without the document' (smâritah patrakâdrte) thus: "He, moreover, who for the purpose of establishing a transaction, is reminded again and again by the claimant after (his) having seen (the document evidencing) the transaction is called here a witness 'who has been reminded' (372)." He, however, who hving arrived by chance, has been made (to subscribe as) a witness is a casual witness. The same Author has pointed⁷ out a distinction among

^{1.} Ch. VIII. 74.

^{2.} Here there is an error in the print in the Sanskrt text on p. 43. 1. 25. It should be तत्र इत: पञ्चविध: अकृतश्च पद्भिष इत्येकादशाविध:

^{3.} Ch. I. 149.

^{4.} Nârada Ch. I. 150.

^{5.} Verses, 371-375.

^{6.} अर्थो—the party who sets up a claim.

^{7.} Verse, 373.

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these witnesses even when they have not subscribed to the document: "One (specially) called on the occasion, and one who had gone (merely) by chance, these two (kinds of) witnesses can establish the claim of the plaintiff, although they are not entered into the document (373)". Moreover: "He is called a secret witness who while remaining concealed, has been made to hear distinctly the words of the defendant by the plaintiff for establishing his claim (374)" And "He is called an *Indirest witness* who, either from direct or hearsay knowledge corroborates broadly the statements of (actual) witnesses (375)."

Nârada¹ has also pointed out the six kinds of the unappointed (witnesses): "The village, a judge, a king; one commissioned² for (special) duties by the disputants, and one deputed by the claimant. In family quarrels, members of the family shall (also) be witnesses." The mention of 'a judge' is indicative by implication also of 'a writer' and 'a Sabhya³'. "The writer⁴, the judge, the Sabhya's have, in order, been laid down as witnesses when the case is under investigation by the king."

Such witnesses; of what kind and how many will (these) be? (Anticipating such a question) the Author says

Yājñavalkya, Verses 68, 69.

Men devoted to religious austerities, men liberally disposed, men of high families, truthful men, men (chiefly) devoted to religious observances, straightforward men, men blessed with sons, and men possessed of wealth (68)

are to be known as competent witnesses, (provided they are) not less than three, and devoted to the performance of S'rauta's and Smarta rites; each respectively

^{1.} Ch. I. 151-152.

^{2.} कार्येध्वाधिकृत:-' कार्येध्वापन्तरे। यः ' is another reading & Dr. Jolly translates it as' one acquainted with the affairs of the two parties. ''

^{3.} See p. 636 n. 4 above.

^{4.} Kâtyâyana, Verse. 355.

^{5.} Śrauta and Smārta rites are those laid down in the Śruti and the Smṛtis. See Yājñayalka Achâra. Verse 97 and Vijñaneswara's prefatory remarks thereon. pp. 267-268 above.

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according to their caste or class, or all for all (castes and classes).

Mitâkṣharâ:—Tapswinaḥ, men denoted to religious austerities i. e. habitually devoted etc.; dânas'ilâḥ, liherally disposed, i. e. devoted to making donations; kulînâḥ, of high families, i. e. born in high families; satyawâdinaḥ, truthful, i. e. having a character for truth-speaking; dharmapradhânâḥ, devoted to religious observances, and not to observances actuated by Artha¹ and Kāma; rjavaḥ, straitforward, not crooked; putrawantaḥ, blessed with sons, i. e. with living sons; dhanânvitâḥ, possessed of wealth, i.e. possessed of considerable wealth such as gold etc.; s'rautasmârta-kriyâparâḥ, devoted to the performance of s'rauta and smârta rites, i. e. devoted to the performance of ordinary and special rites.

Men of this description, tryavarâḥ, not less than three, are (accepted as) competent witnesses. Those The number of than whom three will not be below i. e. less, are witnesses. tryavarâḥ, men not less than three i. e. men who are not on this side of (the number) three.

The meaning is, that for more than this, their number would be according to the requirements. Without going outside the caste, is according to caste, yathājāti. Castes such as Mûrdhâvasikta² and others born of descending³ or ascending unions. Among these, for the Mûdhâvasiktas, the witnesses shall be the Múrdhāvasiktas. The same (rule) should be observed with reference to the Ambaṣhṭhas and others.

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^{1.} The three Purusharthas—ends and aims of all worldly activities—are Dharma, Artha and Kâma, the securing of religious, pecuniary, and personal advantages.

^{2.} मुर्ग्वसिक्त (Murdhâvasikta)—see the 'evolution of castes ' as given in Yâjñ. Âchârâdhyâya, Verses 90-96 pages 241-267 above. The issue begotten by a Brâhmana on a Kṣhatriyâ wife is called Murdhâvasikta. Yâjñ. Âchâra. 91.

^{3.} সমুত্তীমন i. e. the issue of the union of the male of a higher class with the female of a lower class. These have been indicated in Verses 91 and 92 of the Âchârâdhyāya of Yājñavalkya, pages 248-251. The contrary of this term is মনিতীমন (Pratilomaja) the issue of an inverse union i. e. the Union of the male of a lower order with the female from a higher order. See Verses (93-95) Do. Do (pages 252-260).

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Not going beyond the class is according to the class, yathavarnam. Classes, such as the Brahmanas and others. Here, in cases of Brahmanas, Brahmanas alone of the specified description and number can be witnesses. The same (rule) should be observed in the case of Kshatriyas and others. Similarly, in cases concerning women, women alone can give evidence. As says Manu': "Women should give evidence for women".

In the absence of persons of the same caste or class all i.e. the Murdhavasiktas and Brahmanas &c. will become (proper) witnesses in the cases of all i.e. Murdhavasiktas &c., Brahmanas and others.

In the absence of witnesses of the aforesaid description, in order to establish the rule that others for whom there is no objection may be (accepted as) witnesses, it is necessary to mention those who are not (fit to be) witnesses. These have been pointed out by Narada² as of five sorts:—"The incompetent witnesses, too, have in law³ books been mentioned by the learned to be of five sorts; (viz. witnesses who are incompetent) on account of a (specia) text of law, on account of depravity, of contradiction, on account of a voluntary deposition, or of an intervening death."

It may be asked what witnesses again are incompetent under a special text? So the (same) author says: "Learned Brâhmanas, hermits, aged persons as also ascetics and others, are incompetent (as) witnesses under a special text of law; and no (special reason 25, is given for this (rule)." Hermits i. e. Wânaprasthas. By the term Âdi, and others, are included those who have any dispute (at law) with the father or (such) others. As says S'ankha: "Persons

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^{1.} Ch, VIII. 68.

ch: I. 157.

^{3. &#}x27; शास्त्रेऽस्मिन् ' is another reading &c. " In this law "

^{4.} Narada Ch. I. 158.

^{5.} The reason why the persons referred to in this paragraph are excluded seems to lie in their entire renunciation of earthly interests, which render them unfit to appear in a court of justice. Cf. Manu VIII. 65—Dr. Jolly.

^{6.} One in the third stage of life, the four stages being बहाचर्य, गाईरध्य, वानप्रथ & संन्यास.

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having a dispute (at law) with the father, resident students at the preceptor's home, ascetics, hermits, and the *Nirgranthas*¹ are incompetent (to be) witnesses."

Persons unfit to be witnesses on account of depravity have been pointed out (by him²) thus: "Thieves, robbers, dangerous characters, gamblers, and rogues³, are incompetent (as) witnesses on account of depravity; there is no truth (to be found) in them." Dangerous characters (chaṇḍâḥ) i e. of excitable temper. Gamblers i. e. those engaging (themselves) in gambling.

The same Author⁴ has pointed out the nature of witnesses incompetent on account of contradiction: "Should one of the witnesses entered on record or summoned by a party depose to a falsehood, all of them become incompetent (as) witnesses on account of a Contradiction".

Similarly the nature of a Swayamukti or a volunteer witness has been described⁵: "A volunteer witness is he, who without being appointed to be a witness, comes of his own accord to make a statement, (and) is termed a spy in the law-books; he does not deserve to bear testimony."

The characteristics of a witness (rendered) incompetent on account of intervening decease have been given thus: "When a claim has to be proved, and the claimant is not in existence, for whom can (any person) bear testimony? And so such a person is an incompetent witness by reason of intervening decease." i. e. either by the plaintiff or the defendant,—who has to prove a (particular) claim (by informing his witness) thus: 'you shall be my witness for this claim'; when such a one—i. e. either the plaintiff or

^{1.} निश्च (Nirgrantha)—free from all ties or hindrances—a saint or devotee who has renounced all wordly attachments, and wanders about naked and lives as a hermit. The term has also the following meanings:—an idiot, a fool, or a gambler; 'without a restraint'. This term is also used at times in reference to Jain or Budhist monks—a fact evidencing a particular attitude towards this sect at one time.

2. Nârada Oh. I. 159.

^{3.} वश्चका: .वथका: is another reading : assassins.

^{4.} This text is assigned to Kâtyâyana by the Author of the व्यवहारमञ्ज. See Verse 359 Kâne.

^{5.} Narada 1. 161.

^{6.} Nârada Oh. I. 162.

the defendant is not in existence *i. e.* is dead, and the claim has not been proved, in what claim or for whose behalf should one bear testimony as a witness? and thus one ceases to be a witness, on account of intervening decease.

Where, however, the sons have been told by their father at the time of death or even while he was in (sound) health, that in such and such a claim, such and such persons will be witnesses, in such a case one can be a compentent witness even though there has been an intervening decease. As says Nârada: "A witness becomes incompetent on account of intervening decease, unless he has been named by the dying man." And also, "Where a witness has been named by one while (perfectly) free from any disease in a claim which is in accordance with the law, even if the claimant die, the witness (still) continues to be (a competent) witness in claims such as for the six kinds of property viz. Anvâhita and others."

S'ûlapâni.

Yâjñavalkya, Verse 68.

Rjavo, 'straightforward,' i. e. not crooked. Of this kind should the witnesses be; should be understood. Thus is the connection with what 20 will be stated hereafter.

S'ûlapâņi.

Yâjñavalkya, Verse 69.

Three is the least i.e. lowest number of whom are tryawaráh, 'not less than three'. The meaning is that they shall be not less than three. Yathâjáliti, 'according to the caste &c.'; to whichever caste one may belong, of that caste shall his witnesses be; so, of a touchable caste, a touchable. Or in the case of all, all may be witnesses, since Manu, has observed: "Witness evidence is admissible if (it is) in accordance with what has actually been seen or heard (by the witness)." This! 30 moreover, is indicative as applicable as a means (of evidence)—themeaning is one is admissible as a witness who has evidence regarding the subject matter in dispute

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The Author mentions those who are incompetant¹ witnesses

Yâjñavalkya, Verses 70, 71.

A woman, a minor, an old man, a rogue, an intoxicated person, one violent, one against whom an accusation has been brought, a stage-dancer, a heretic, a forger, one deformed (70).

One degraded, a relative, one having an interest in the subject-matter (of the suit), an ally, an enemy, a thief, a desperado, one who has been found guilty, an outcast, and the like others are incompetent witnesses.

Mitâksharâ:—Stri, a woman, is well known; bâlah, a minor, one who has not attained (the age of) capacity; vrddhah, an old man, one who is above eighty. The use of the term vrddha is indicative also of others e. g. learned Brâhmanas etc. for whom there is a (special) prohibition in the texts²; kitavah, a roque, one who gambles with the dice; mattah, an intoxicated person, i. e. by drinking etc.; unmattah, one violent i. e. one possessed by an evil spirit: abhis'astah, one against whom an accusation is brought, i. e. against whom a charge is pending, such as of killing a Brâhmana etc.; rangâvatârī, a stage-dancer, i. e. a professional actor; pākhandinah, heretics, such as Nirgranthas3 and others; kūtakrt, a forger, i. e. one who makes false documents etc: vikalendriyah. one deformed e.g. without an ear etc; patitah, one degraded, such as a Brahmana-killer etc.; âptah, a relative i. e. a friendly relative; arthasambandhī, one having an interest in the subject matter (of the suit), i. e. the subject matter of the suit which is under investigation; sahāyah, an ally, i. e. a partner; ripūh, an enemy, opponent; taskarah, a thief, a robber; sahasī, a desperado, one menacing (others) by the (sheer) force of his drs'htadoshah, one who has been found quilty, i. e. who has been

^{1.} There is a mistake in the print of the text at p. 45 l. 18. for तावेताच् साक्षिणो read तावेतानसाक्षिणो.

^{2.} e. g. Manu. VIII. 64-67. Nârada. I. 157-171.

^{3.} Jain or Budhist monk. See note on p. 849. above. See also the Mitakshara on Yajn II. 192 a regards पाखण्डिन: वेदस्य प्रामाण्यमेव नेच्छन्ति; नमाः सीगातादयः।

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found out as having told an untruth; nirdhutah, an outcaste, one abandoned by his relatives.

By the use of the term $\hat{\Lambda}$ dya, 'and others', are also included others who have been mentioned in other Smrtis¹ as incompetent witnesses on account of depravity, contradiction, volunteering a deposition, or of intervening decease. These (as also) a woman, a minor &c. are not fit to be witnesses.

* Page 46.

S'ûlapâni.

Yâjñavalkya, Verses 70, 71.

These, i. e. women &c. although possessing the aforestated qualifications must not be admitted. Kitavah, 'a rogue', one who starts betting. Rangávatára, 'a stage dancer', i. e. one who maintains himself upon the stage. Sáhasi, 'a desperado', one who commits thoughtless acts; drashtadoshah, 'one who has been found guilty', i. e. in elsewhere; nirdhâtah, 'an outcaste', one who has been banished from the village. By the use of the word âdya, 'and others', are included, the Śrotriyas, ascetics, and others stated in other Smrtis. (70, 71).

"Witnesses are known to be not less than three"; the Author mentions an exception to this text

Yâjñavalkya, Verse 72 (1).

When approved of both parties, even one person becomes a (sufficient) witness, if he is conversant with his duties.

Mitākṣharā:—Dharmavit, one is said to be conversant with his duties, who performs the ordinary and About a wit-special rites after (properly) understanding them.

ness sole. Such a one, even if alone, is a (sufficient) witness, ubhayânumatah, when approved 30 of both parties. By the force of the word api, even, even two (would do). Although under the text3: Devoted to the

^{1.} e. g. see Nârada. I. 157 See 848. p. 16-20, above.

^{2.} Verse 69 above p. 846 l. 26. 3, Yājñavalkya II 69 p. 846 l. 27.

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performance of the S'rauta and the Smârt rites', the (condition regarding the) observation of duties holds equally even in the case of more than three persons, still these are admissible as (competent) witnesses even in the absence of a consent from both sides, while a single witness or two are accepted as sufficient only with the consent of both (parties), and thus the use of the expression (tryavara¹) 'not less than three' has a purpose.

The Author mentions an exception to the text,² "men devoted to religious austerities, men liberally disposed &c.'

Yâjñavalkya, Verse 72 (2)

In the cases of adultery, theft, insult, and a Sahasa (a heinous offence), any person may be a witness.

Mitâksharâ:—Sangrahana, adultery, and other offences the characteristics of which will be mentioned In cases of later on³. In these cases all persons, whether theft and other prohibited by special text or wanting in the proceedings even special qualities of austerities, are competent. persons (specially) But here also, the persons who are incapacitated prohibited may be from being witnesses on account of depravity.

accepted as wit- of contradiction, or on account of a volunteered nesses.

statement, are not acceptable as witnesses, the cause (of incapacity) viz. the absence of

(truthfulness) &c. being also applicable here.

Although on account of the text³: "Manslaughter, robbery, an indecelent assault upon another man's wife, and the two species of insult, such are the four kinds of Heinous offences," adultery with women, robbery, and assault are regarded as heinous offences, still, these very offences become heinous when they are committed in public (by the offender) in mere brute force, while when committed in secret they are designated by the words adultery &c. and hence they have been distinctly mentioned in addition to the Sāhasa (or Heinous offences).

^{1.} Yajñ. II. 69. p. 846

^{2.} See Verse 68.

^{3.} Of Nârada. Ch. XII. 2.

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Viramitrodaya.

Evidence has been laid down to consist of a writing, possession, and witnesses' so has been stated above! Of these, possession has been discussed. Now the Author discusses the law about witnesses by an entire Chapter

Yâjñavalkya, Verses 68, 69, 70, 71, 72, 73.

Tapaswinah, 'men devoted to religious austerities', i. e. as a matter of habit devoted to austerities; dânasilâh, 'liberally disposed', i. e. devoted to making donations; kulinâh, 'of high families', i. e. born of families free from any taint of mixture &c.; satyavâdinah, 'truthful men', i. e. having a character for truth-telling; dharmapradhânâh, 'devoted to religious observances', i. e. whose principal objective is religion; rjavah, 'straightforward', i. e. not crooked-minded. (68).

Those, (the number) of whom three is a lower degree are tryawarah, 'not less than three'. Vide the text of Brhaspati²: "Nine, seven, or five, should they be; as also four, or three also", Srauta performance, such as the maintenance of the perpetual fire &c; a Smarta performance, such as the performance of the Sandhya worship and the like; one ever alert on their performance, and performing these every day; yathajati, 'according to caste', i. e. in accordance with the castes; thus the conclusion is that for the Mardhavasiktas, the Mardhavasiktas; for the Ambhashlhas, the Ambashlhas to be witnesses; for the women, women to be witnesses.

In the absence of those of one's own caste or of one's own 25 class, in the case of all disputants, all i.e. the Mûrdhûvasihtas &c., as also Brûhmanas &c., who have been stated to be witnesses, in the Smrtis of Manu and others, should be regarded as proper witnesses. (69).

Women &c., however, are not (proper) witnesses. Bâlah, 'a minor', one below the age of sixteen; vrddho, 'old', more than eighty years of age; kitavah, 'a rogne', one who habitually gambles with dice; mattah, 'intoxicated', by spirituous liquor &c.; unmattah, 'violent', such as by madness &c.; abhisasto, 'possessed's i. e. on account of the curse of Brahmicide &c.; rangåvatåri, 'a stage-dancer', i. e. an actor; påkhandi, 'a heretic' i. e. one outside the orbit of the Vedic' religion; kûtakrt, 'a forger', one whose dealings are always fraudulent; vikalendriyah, 'one deformed', i e. without an eye, ear &c. (70).

^{1.} Yâjñ. II. 22 p. 743 ll, 16-18.

^{2.} Ch, VII. 16.

^{3.} अभिशस्त under an accusation, or under a curse.

^{4.} i. e. not recognising the Vedas as of authority ये वेदस्य प्रामाण्यमेव नेच्छन्ति, सोगतावयः।

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Patito, 'degraded,' such as a Brāhmicide &c.; aptah, 'a relation,' 'relative', i. e. a friendly relative; arthasambandhi, 'interested in the subject-matter' i. e. of the subject-matter in dispute; sahayah, 'an ally', i. e. one who is helping the disputant; ripuh, 'enemy', i. e. enemy of the disputant; taskarah, 'a thief', a robber; sahast, 'a desperado', one who wilfully causes murder &c.; drshtadosho, 'one who has been found guilty,' i. e. one who has been found to have told a lie in another litigation; nirdhatah, 'an outcaste', i. e. who has been outcasted from the family. By the use of the word adya, 'and like others', are included, the Vedic scholar, the ascetic &c. (71).

The Author mentions an exception to the rule 'not less than three':—ubhayanumatah, 'with the consent of both' &c. by both i. e. by the plaintiff and the defendant, agreed to; such a one. Dharmavit, 'knowing the dharma', is the necessary attribute in common to all the witnesses. Such a one of this qualification, ekopi, 'even one,' is a sufficient witness.

The Author mentions an exception to the rule stated in women, minors etc.

Sangrahane, 'adultery' i. e. adultery with women; theft, parushye, 'insult', such as the abusive insult, defamation; sahase, 'in a heinous offence,' such as man-slaughter and the like; sarvah, 'all', i.e. even women and the rest devoid of the qualifications for a witness as aforestated, become admissible as witnesses. This is the meaning.

By the use of the word cha, 'and also', are included persons possessing other qualifications as stated by Manu and others, and as implied in the word jneya, 'should be known'. By the use of the word tu, 'however', the author specially marks the incompetency as witnesses of ascetics as distinguished from women and others owing to their not being possessed of the stated qualifications. of the word api, 'even', are included those stated in the text of Brhaspati: "Both these learned men in the Vedas may be accepted". Here, the witnesses added by inclusion by the word wa, 'or', and included by the word adya, 'and like others', are particularly stated as established. There by the efforts of the parties, witnesses mentioned in the lists and as set out in treatises are the best, viz. those working for the benefit of (the members of) all the varnas, knowing all the laws, unaffected by (motives of) avarice, by habit observing the rules of purity, both external and internal.

^{1.} Verse 69.

^{2.} Verse 70 above.

witness is one who without being appointed comes of his own will and speaks (161), and a witness on account of an intervening decease is one when the plaintiff is dead without his being affirmed."

The S'rotriyas and the like who owing to their intensive application to the Vedic study being likely to be forgetful about the facts of the cause in dispute, they should not be made witnesses. If not made, but if they know, they certainly become good witnesses. So it has been said "Both these S'rotriyas should be accepted."

He further elaborates the S'rotriyas, etc.: "The S'rotriyas, 10 devotees, aged persons, and those men who have become ascetics, these are declared as incompetent witnesses under a text, here no reason has been given" (158).

If a creditor while in anticipation of impending death has stated to his relations that such and such a person knows that a debtor truly owes the amount, such a one becomes an admissible witness even with an intervening death. When the creditor is dead, and his sons being ignorant, a cause had not been put forth, for the reason, "Who may the witness be"?, thus one is an incompetent witness on account of intervening death. Here in the absence of a competent witness, an incompetent, or a prohibited one may be accepted. It should be remembered, however, that one who has emphatically been prohibited, must never be admitted. This is as good as said. (72).

S'ûlapâni.

'Not less than three shall be the witnesses'. To this the Author 25 states an exception

Yajňavalkya, Verse 72.

One conversant with the *Dharma*, and approved of both (sides), may be admitted as a proper witness though alone, by reason of the special qualifications. It is not merely by a knowledge of the *Dharma*, nor also because both the parties consent, that only one (man) is admissible as a witness.

Thus: "Where a witness pure in action, knowing the *Dharma*, whose testimony has been tested, even one may be accepted as good evidence, and particularly in cases of heinous offences," so characterised in the text of **Vyasa** by reason of his being agreed to by both the parties, by reason of the varacity of his speech, although he had not given

^{1.} See also Smrtichandrika p. 76. l. 18.

evidence in other cases before, and thus although prohibited (on that account), becomes admissible as a proper witness.

Nârada¹: "Those who have been set out as incompetent witnesses viz., slaves, imposters and like others, shall still be withesses when the importance² of the trial is determined³." Even here these are not all admissible: "Even among them, not a minor, nor a woman, nor one alone, nor a cheat, nor a relation, nor an enemy; as they might depose falsely".

Indeed: In the text of Narada4: "Man-slaughter, theft, an indescent assault on another man's wife, and the two species of insult, are the five kinds of heinous offences", the adultery with women is included in the statement of Sahasas—heinous offences—why then has it been separately mentioned? The answer is, under the text of Manu's: "That act will also be called a sahasa, which has been perpetrated violently and which has the resulting consequences", with a view 15 to obviate the doubt about the heinous character of a violent act referred to in the text, a separate mention has thus a purpose. (72).

The Author describes the affirmation of the witnesses

Yajñavalkya, Verse 73, (1)

In the presence of the plaintiff and the defendant the witnesses should be affirmed, (in the following form)

Mitakshara:—In the presence of the plaintiff and the defendant, Sakshinah, the witnesses, when gathered togetherof Gautama7: "They (i. e. the witnesses) text under the should not speak singly or without being asked," should be affirmed, s'ravayet, as follows. There also a special rule has been laid down by Katyayana9: "The witnesses being assembled in the middle of the court room, in the presence of the plaintiff and the defendant, the judge

^{1.} Ch. I. 188.

^{2.} i. e. in important proceedings even these may become witnesses.

^{3.} Narada Ch. I, 190. 4. Ch. XIV. 2.

^{5.} Ch. VIII. 333. See the comment of Medhatithi on this verse.

^{6.} viz: vesses 73 (2), 74, 75, further on.

^{7.} Oh. XIII. 5.

^{8.} There is a mistake in the print at p. 46. l. 17. for आसम्बनाः पृष्टा read

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should examine them after assuring them in the manner as laid down in the following rule (342): "In the forenoon, the judge, being purified, should charge the dwijas, their faces being turned towards the North or the East, to give true evidence, in the presence of (the image of) God and the Brâhmanas (344). After having summoned the witnesses and bound them down firmly by an oath, he (the judge) should examine them severally, (all of them) being men of established charactor and acquainted with the facts (of the case) in dispute (345)."

Moreover, a rule has been laid down by Manu¹ for affirming the Brâhmanas and others: "A Brâhmana should be required to swear by the (merits generated by his) truth, a Kṣhatriya by (the means of) his conveyance and by his weapons, a Vaisya by his kine, grain, and gold, and a S'ûdra by (imprecating on his own head the guilt of) all sins". A Brâhmana should be made to swear with the words—'If you tell an untruth, all (merits arising from) your truth will perish'; a Kṣhatriya—'Your (means of) conveyance and weapons will become futile'.; a Vais'ya—'your kine, grain and gold will become useless', and a S'ûdra—'if you tell an untruth all the sins will accrue to you'.

Here, moreover, an exception has been mentioned by the same Sage: "The Vipras who carry on the business of cowherds, traders, similarly of mechanics, actors, and also menial servants, or usurers, the judge should treat as S'ûdras". The use of the term Vipra is by an extension, indicative, of Kshatriya and Vais'ya. Actors (Kus'îlavâh) i. e. singers.

When (the plea of) a defect in a witness has been raised by the defendant, the decision should be arrived at in the same manner as is done in the case of defects which are capable of being determined upon by actual sight, such as minority &c. In the case, however, of such as are not capable of being so determined, the point should be decided by reference to the evidence of witnesses and the evidence of general repute, and not by that of other witnesses; thus there is no incongruity.

^{1.} Oh. VIII. 113.

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If the defendant, after having set up a defect in the witnesses, is not able to substantiate it, then he *Page 47. should be punished according to the nature of the defect set up. If, however, he establishes the defect, then those persons will not be admitted as witnesses. As has been said "If he (i. e. the defendant) do not establish clearly the defect in the witnesses, he should be compelled to pay a fine; if the defect is established, the witnesses should be rejected as persons unfit to be witnesses".

And when after all the witnesses intended to be cited by the 10 plaintiff have been found to be defective, and the plaintiff cannot prove his case by (any) other evidence, then he becomes defeated; vide the text.²—"When defeated, he should be compelled to pay a fine as laid down by the law, if the plaintiff is disposed to be indifferent in (the matter of) establishing the truthfulness of his 15 witnesses." The meaning is that if he is desirous (of establishing his case), he should have recourse to other evidence.

How should a witness be affirmed? so the Author explains Yâjñavalkya, Verses 73 (2), 74, 75.

"Those regions (which are) meant for the perpetrators of sins and of baser³ sins, as also those worlds (which are) meant for the incendiaries and the slayers of women and children, to all these shall be go who gives false evidence. 73 (2), 74.

"Whatever merit you have secured by (your good deeds in) hundreds of previous lives, know that all that (merit) will be his whose defeat you will bring about (by speaking) falsely. 75.

Mitakshara:—The meaning is that those regions which are intended for the perpetrators of sins, accessory and baser ones, as also for the incendiaries and the murderers of women and children, to

^{1.} By Vyâsa. 2. Also of Vyâsa.

^{3.} महापातका. these are.

बहाहत्या द्वरापानं स्तेयं गुर्वगनागमः । महाति पातकान्याहुस्तत्संसीगन्न पञ्चमध्रे ॥

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all these shall he go who gives false evidence. Similarly, whatever merit may have been acquired through hundreds of previous births. all that goes to him who is defeated on account of your (having given) false evidence; thus a witness should be affirmed, is the connection.

This (latter), moreover, should be understood as applicable to S'ûdrâs, as the affirmation by all the sins as laid down in the text1-"and a S'ûdra by all the pâtakâs"-has also been made applicable to the dwijas who carry on the occupation of cowherds &c. as has been laid down in the text2 "(dwijas) engaging themselves as cowherds, grocers &c." The transference to another of the merit acquired through innumerable births, as also the accrual of the results of baser and other sins is not deducible from untruth alone. Thus this text is intended merely as a means of inspiring awe and fear (in the defendant); as says Narada: "By ancient sacred texts, extelling the excellence of truth, and denouncing the sinfulness of falsehood, let him inspire them with deep awe".

Viramitrodaya.

Now the Author states the manner in which witnesses should 20 be examined

Yâjñavalkya, Verses 73, 74, 75.

Those attending for giving evidance as witnesses and in the presence of the plaintiff and the defendant, the investigating officer himself should affirm in the manner hereafter to be stated.

Papakrtam, 'for the perpetration of sins', are meant here the regions (intended) for the perpetrators of sins not specifically mentioned viz. such as the Raurava and the like other places. Agnidanam, 'for the incendiaries', i. e. who set fire through hatred to fields full of crops, to a store-house, and the like places; sakshyam, 'evidence' i. e. statement to be made as a witness; anrtam, 'false' i. e. not according to facts, 30 yo vadet, he 'who states', sa etan sarvan, 'he all these regions', avapnoti, 'shall go to'.

By the use of the word tatha, 'also', the perpetrators of the lower kinds of sins, and by the several use of the word cha, 'and', are included

^{1.} Manu ch. VIII. 88, 113. 2. Manu ch. VIII, 102.

^{3.} Oh. I. 200.

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the perpetrators of grave offences, such as, the poisoner, one causing abortion, and the like.

By reason of the text¹: "While a śūdra, by (the imprecation of) all the sins", in regard to the affirmation of a śūdra witness, the Author says; sukrtamiti, 'merit etc'. The meaning is that whatever religious merit you may have acquired in past births, all that shall perish. Nārada²: "By the truth, should a Brāḥmaṇa be affirmed; a Kṣhatriya by the means of his conveyance and weapons; by the kine, grain, and gold, a Vaiśya, and a Sūdra by all the sins".

"Speak the truth", thus an affirmation should be caused to be made by a Brâḥmaṇa, in the form of wealth, viz. 'this is the truth'. This, however, is in regard to a Brâḥmaṇa for whom a middle course is admissible vide the text of Gautama³: "Some (declare, that the witnesses) shall be charged on oath to speak the truth. That in the presence of Gods, Brâḥmaṇa, and the Royal Court, in the case of others than Brâḥmaṇas". 'By one' is in regard to the specially qualified.

Vâhanam, 'means of conveyance', such as the horse, etc.; âyudham, 'weapon', such as the sword, etc. The affirmation should be made in the form of a touch of these. By the touch of the cow or the grain which are the main support of agriculture, and of gold, the Vais'ya should be affirmed. By the text, (of Nârada), 'A Sudra &c. and S'uhrtam etc., religious merits' when the judge causes the affirmation, the party should be made to repeat this 'all the sins shall accrue to me if I make a false statement.'

By the use of the word tu, 'however', are excluded the affirmations of the members of three varnas': 'Speak', thus, should he accost the Brahmana, 'speak the truth', thus a Kshatriya''. So also': "Those of the Vipras who carry on the business of cowherds, traders, also the mechanics, and actors, menial servants, and usurers—the Judge should treat as S'udras''. "Treat as S'udras'', i.e., should cause affirmation to be made like the S'udras. In the case of Kshatriyas, the rule should be understood by discriminating bet reen men of quality and those without any qualification.

^{1.} of Manu Ch. VIII. 113.

^{2.} Ch. I. 199; See also Manu Ch. VIII. 113.

^{3.,} Oh. XIII. 12, 13.

^{4.} एकेनेति—Here Mitramisra reads the text of Gautama (XIII. 12) as सत्येनेकेन—while in the original it is सत्येनेके—'according to some, by the truth'.

^{5.} viz. the Brâhmana, Kshatriya and Vais'ya.

^{6.} Ch. VIII. 89.

^{7.} Ch. VIII. 103.

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S'ankha and Likhita: "By the sons and grandsons according to the orders, the special declartion should be made in the presence of God, Brahmana, and the masters, one should be affirmed by the touch of the head of the sons and grandsons." For whichever varna the touch of a particular thing has been stated in other Smrois, with that he should be sworn. This is the meaning. (73-75).

S'ûlapâni,

Yâjñavalkya, Verses 73, 74.

"Those regions (which are) meant for the perpetrators of sins" &c. 10 thus the Chief Judge should affirm the witnesses in the presence of the plaintiff and the defendant. This, moreover, has a reference to the testimony of a \$\hat{su}dra\$. Manu states a special rule: "Speak', thus should a Brahmana be asked to swear; 'speak the truth', thus a Kshatriya; by the cow, grain and gold should a Vaisya be affirmed; 15 a \$\hat{su}dra\$, however, with all the sins." 'Cow, grain' &c. i. e. whatever sin accrues for stealing a cow &c. that sin will be yours if you tell a falsehood. 'With the sins' &c. i. e. with the sins stated in the text: "Those regions for the perpetrators of sins &c."—you will be joined. (74).

S'ûlapâni.

The Author states the form of oath for the witnesses.

Yâjñavalkya, Verse 75.

This also is in regard to a Sūdra. Manu² states a special rule: "The *Vipras* who carry on the business of cowherds, traders, similarly of mechanics, actors, and also menial servants or usurers, the Judge should treat as Śùdras." The meaning is that in regard to witness evidence, he should ask them to swear like the Śùdras. (75).

When however the witnesses after they are affirmed, do not speak at all what should be done? Anticipating this question the Author says

Yâjñavalkya, Verse 76.

A person, however, not giving evidence should be made to pay, by the king, the entire debt with the addition of a tenth as a charge thereto on the forty-sixth day. 76.

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Mitâksharâ:—He, who having agreed to give evidence as a witness, after having been affirmed, does not On a refusal to depose anything, should be made to pay by the give evidence the king the entire debt (i. e.) together with interest, debt should be to the creditor, sadasabandhakam, with the addition of a tenth, i. e. together with a tenth part.

The tenth part, moreover, becomes the king's

property, for it has (already) been laid down above that "a debtor should be made to (pay) by the king to himself ten per cent of the amount recovered."

This (rule), however, should be understood to be enforceable after the 46th day is reached. One deposing before that limit should not be made to pay.

This rule, again, applies to those who are not affected by any of the calamities, such as a disease &c. As says Manu²: "A man who, without being ill, does not give evidence in cases of loan transactions and the like within three fortnights shall become responsible for the whole debt together with a tenth part of the whole." Without being ill is indicative by implication (also) of the absence of (other) calamities caused by the king or fate.

S'ûlapâni.

Yâjňavalkya, Verse 76.

Those, moreover, who after being put to an oath viz.: "these regions for the sinners &c.', do not give evidence, after an interval of three fortnights they should be compelled by the king to pay the amount of the debt together with interest, and a tenth part in addition. The addition of the tenth part being by way of penalty, the king should take (it to) himself. Manu³ states a special rule: "He, to whom, within seven days of his having given evidence, happens (a calamity in the form of) a sickness, a fire, also of the death of a relative, shall be made to pay the debt and a fine."

Yajñ. II. 42. p 779 ll. 25-26 above.

^{2.} Ch. VIII. 107.

Ch. VIII. 109.

In cases other than that of a money debt, special penalties have been mentioned by Manu¹ for perjury: "(He who commits perjury) through covetuousness, shall be fined one thousand; through fatuity, the lowest amercement; through fear, the two middling amercements; and through friendship, four times of that stated before (121); Through lust, ten times has been stated; through wrath, however, treble the highest; through ignorance, full two hundred; and through childishness, one hundred. They declare that the wise men have prescribed these as penalties for perjury". (76).

One, however, who though (fully) knowing everything does not agree to give evidence through wickedness, for such a one the Author lays down a rule

Yâjñavalkya, Verse 77.

One who does not (offer to) give evidence as a witness though positively knowing (the facts of the case), that basest of human beings is equal to a false witness in point of sins and (liability to) punishment.

Mitâksharâ:—Moreover, yaḥ narâdhamaḥ, that basest of human beings, even jânannapi, though well20 *Page 48. knowing the (facts regarding the) point in dispute, sâkṣḥyaṇ na dadâti, does not (offer to) give evidence as a witness i. e. does not agree to give, kûṭasâkṣhiṇâm tulyaḥ, is regarded as equal to false witnesses, in point of sins and the punishment.

The punishment for false witnesses will be mentioned (hereafter). After punishing the false witnesses the suit should be commenced again. And even if a suit is decided, it should be cancelled if the evidence comes to be known to be false. As says Manu: "In every suit where false evidence has been given, the judgement in each (suit) stands cancelled, and whatever has been done (in pursuance of it) is (regarded as) not done."

l. Oh. VIII. 121-123.

^{3.} Ch. VIII. 117.

^{2.} Yâjn. II. 81.

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man't i Galler and Viramitrodaya.

The Author mentions the nature of the Offence of the witnesses called to depose to the point under decision when not making any statement

Yajñavalkya, Verses 76, 77.

That which is bound, i. e., adjusted as being paid to the king is a bandhah, 'a charge', in the shape of a tenth part payable to the victor, is dasabandhah, 'the tenth as a charge'; together with that the entire debt including the interest, sakshyam abruvan, 'one not giving evidence', even though knowing (the facts), rajāā, 'by the king', shatchatwarinšake, 10 'on the forty-sixth day '—becomes liable to be 'compelled to pay' dapyah.

By the use of the word tu, 'however', is jexcluded the payment before the forty-sixth day.

It may be asked, Indeed, for not making a statement which is false, how can he be made to pay? So the Author states that this is equivalent to making a false statement, and proceeds, no dadâtiti, 'does not give' &c. Hi, 'positively', janannapi, 'though knowing', yah sakshyam na dadâti, 'he who does not give evidence,' i.e., does not make a statement, sa narâdhamah, 'that basest of human beings', kūtasākshinām, 'of false witnesses' i.e., of persons giving false evidence, pāpaih, 'with the sins', i.e., with the liability of the penalty to the king being made payable, tulyo, 'equal'; hi, 'since', he becomes amenable to be compelled to pay that. This is the meaning. The penalty for a false witness will be mentioned? hereafter.

By the use of the word $ch\alpha$, 'and', is included the censurability by the people. By the use of the word $ev\alpha$, 'also', the Author discriminates the several penalties stated in the verses before. Therefore, he is liable to pay the debt with a charge of a tenth. If however, he is affluent in wealth, the penalty hereafter² to be mentioned alone will be for him. Other penalties, however will be stated in regard to the different subject-matters.

In regard to the period for a plaintiff, Brhaspati says: -"He, however, having cited witnesses, does not still cause them to be examined, within thirty days or three fortnights, loses his suit." The use of the word wa, 'or', is indicative of an alternative option in regard to the smallness or greatness of the subject-matter of the dispute.

^{1.} as stated in Verse 42 above; see p. 779 lines 25-26.

^{2.} in verses 81 and 82.

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Also: "When a plaintiff after having agreed to attend for performing an ordeal, does not attend, in such a case the fraud should not be allowed when any calamity, either caused by God or the King occars to him. By merely giving up the period he does not become defeated". 'Should not be allowed' i.e. should be dispelled. Here, according to some, the use of the word hani, 'loss' before the word parajitah, 'defeated' is in the sense of a defeat. In the suit, a fraud being liable to be dispelled, there cannot be a defeat merely on account of the statements, for a fault may likely be found even in the witnesses cited. While in the case of statements the suspicion would be of a slight degree. So hold others. (76-77).

S'ûlapâni.

Yâjñavalkya, Verse 77.

He, who though knowing (the facts), through wickedness does not appear and attend, he should be regarded as equal to a false witness in guilt with the sins and penalties. Kâtyâyana says in regard to false witnesses: "A false witness shall stay in the avichi hell for a year". (77)

How should the decision be given when the witnesses disagree! So the Author says

Yâjñavalkya, Verse 78.

In (the case of) a disagreement, the testimony of the majority prevails; similarly if the witnesses are equally divided, the evidence of the virtuous; if, however, the virtuous disagree, the evidence of those who are most virtuous should be accepted (as conclusive).

Mitâksharâ:—Dwaidhe, in the case of a disagreement, i.e.

conflict between witnesses, bahûnâm vachanam

Rule in the the testimony of the majority, grâhyam, should be
case of a conflict accepted. When the disagreement is between
30 among witnesses. those who are equal i. e. equal in number, the
testimony of those who are virtuous should be
accepted. When, moreover, the disagreement happens to be even

^{1.} अविची—the name of a particular hell; a waveless stagmant cesspool See Yajn, III. पा. 224.

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among the virtuous, those who are gunavattamah, most virtuous. i. e accomplished by learning and study and by the observance thereof. as also who are endowed with wealth, male issue &c. The testimony of these should be accepted.

Where, however, the virtuous are few and the others many, the testimony of the virtuous alone should be accepted vide the text, "With the consent of both, even one person is (enough as) a witness, if he knows the Dharma," prominence having been given to the superiority of virtues. What, however, has been said about the incompetency of persons on account of a contradiction, applies to a case where no special preference can be admitted on account of the general equality of all.

Viramitrodaya.

Now the procedure regarding the statements of witnesses.

Kâtyâyana2 says: "The witnesses should give their evidence while within the Court premises, and not elsewhere; this is the rule in regard to all kinds of witness evidence; but it is otherwise as regards immoveable property". In the case of the killing of sentint beings. the witnesses should be examined near3 the corpse; in its absence, near a mark (of the corpse); in no other manner should he be examined. With an unperturbed mind, whatever and whenever he may have seen with his own eyes, and which has been remembered (by him), that a witness should state in his deposition. So also, "Where, in the case of defendants belonging to a foreign country, their presence is unsecurable, in such a case a written statement of his deposition, made before Scholars of the three Vedas should be caused to be taken."

Kâtvâyana: "What was seen by persons together, that should be stated as it was; where it was separately seen in different transactions, that should he deposed to separately. Where a transaction came to be known by the witnesses at different times, there each separately should

^{1.} Yājñ. II. 72 above p. 812. ll. 22-24.

^{2.} Verse, 380.

^{3.} ज्ञासनियो—Mr. Kane in his compilation of extracts from Kâtyâyana his prefered the reading as शिवसंनिधी. But श्वसंनिधी is better, and apporopriate to o.

^{4.} Verses 394-395.

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be examined at a different time; so says Bhrgu''. 'Not one transaction' means different transactions. So1: "Their statements as made naturally should be accepted free from faults; when the witnesses have made their statements they must not be questioned by the king again and again."

What should be done when a disagreement occurs in the statements of witnesses examined? So the Author says

Yâjñavalkya, Verse 78.

Of the witnesses, whether examined by one side e.g., by the plaintiff, or examined on behalf of both sides, where there is 'a disagreement', 10 dwaidhe, i.e. where their statements contradict each other, bahûnûm, of the majority' i.e., as compared with the opposite testimony of a larger number of witnesses, the statements of witnesses should be accepted. Where the witnesses are men with qualifications and of equal number on both sides, there by a comparison with the contradicting statements, those who have higher qualifications, their statements should be accepted.

By the use of the word tu, 'however', is excluded the admissibility of statements which are opposed to the admissible testimony. Where, on a difference of the evidence of the contending parties, there is an absolute equality then by the rule stated in the text?: "When three witnesses for both sides" &c. an adjustment has been made before.

Of one's own witnesses if there be mutual contradiction, or an entire agreement, then according to the opinion of Misra, another kind of evidence should be resorted to.

Now, some under the text of Kâtyâyana viz.: "Of the subscribing witnesses who have been pointed out by the plaintiff, even if one depose falsely, all become incompetent witnesses on account of an incongruity." Others say that the purport of the text of Kâtvâyana is that of the three when one speaks a falsehood, another who is equal to him and deposing correctly, and the third being left alone, there a decision cannot be reached through witness evidence, while the purport of the present text is that as the remaining witnesses on the other side are more than one, the decision can be reached from their evidence itself. (78).

^{1.} Verse 393.

^{2.} Yajñ. II. 17; see p. 696, 1. 18.

S'ûlapâni.

Yajñavalkya, Verse 78.

When there is a conflict among witnesses, the testimony of the majority should be accepted. When the witnesses are equally divided, the statements of those with better qualifications should be accepted. And if it is the case with all, the statements of the best qualified should be taken as decisive. (78).

What testimony of the witnesses leads to success and what to a defeat? (Anticipating this inquiry) the Author says

Yâjñavalkya, Verse 79.

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He, whose witnesses depose to the truth of (the allegations in) the plaint, shall become successful; (and) sure defeat will be his whose witnesses speak to a falsehood.

Mitakshara:--yasya, he whose, i. e. of the plaintiff, pratijnam, plaint, containing the particulars about the subject-matter, its kind, measure &c., Successor sâkshinah, the witnesses, depose to satyâm, as through defeat true, e.g. with the words. "This is true, we witnesses. know", becomes jayi, successful.

Of a plaintiff, however, whose plaint, anyathâ, they contradict i. e. testify in a contradictory manner e. g. (with the words). is false' his defeat, parâjayah, will be sure, dhruvah i. e. certain. Where, however, on account of forgetfulness or other (cause) the witnesses do not substantiate either the affirmation or the negation of the allegations in the plaint, in such a case the decision should be given by (recourse to) other (means of) proof; and the king should not question the witnesses again and again. Only such testimony should be recorded as was given (by the witnesses) spontaneously. As has been said1: "Such evidence of these (the witnesses) should be admitted as may be spontaneous and free from fault; after, however, the witnesses have made their declarations as above, they should not be questioned again and again by the king".

^{1.} By Kâtyâyana verse. 392.

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Viramitrodaya.

Now the Author mentions the kind of evidence which leads to a success or a defeat

Yâjñavalkya, Verse 79.

Yasya, 'whose', i. e. of the plaintiff, pratijnam, 'plaint'. sakshinah, 'the witnesses', satyam brayuh, 'depose to the truth', i.e. speak according to the facts, sa, 'he', i.e., the plaintiff, jayî bhavet, 'shall become successful'. Anyathavadinah, 'speak to a falsehood', i.e., those who depose to the falsity of the plaint, yasya, 'whose' witnesses, tasya, 'of him', dhruvam, 'sure', i.e., of a certainty, is parajayah, 'a defeat'. This is the meaning.

Some, however, say that the witnesses, i.e., of the plaintiff who do not depose to the truth (of the plaint); that is improper. In a trial at law, all subvensions are to be removed, and by merely non-deposing, a defeat would be impossible; that is the point.

Here, even as to a matter deposed to by the witnesses, if within seven days a disease or a like calamity occurs to him, the party whose witnesses depose, gets a defeat-vide the text of Naradal, viz.: "He. to whom, within seven days of his witnesses having given evidence, happens (a calamity in the form of) a sickness, a fire, or the death of a relative, shall be made to pay the debt, and a fine also."

In regard to the statement of witnesses Vyasa says: "If the statement (of a witness) is not defective in regard to time, form, age, the thing, country and the caste, the point at issue may be declared as established." Brhaspati2: "He, the statement in whose plaint has been entirely deposed to by the witnesses, that man will be (declared) successful; if otherwise, witness evidence will not lead to a conclusion."

'If otherwise', i.e., in the absence of deposing to the entirety. This, however, is possible in two ways, by not deposing, as also by not deposing as expected. Another (possibility) is also of four kinds, by deposing to less, by deposing to more, by deposing to one's ignorance, as also by deposing to the opponent's case. There, in all the cases, the point at issue remains unestablished. On the other hand, in the case of the first and the last, other means of evidence must be resorted to, and 35 not that by that much alone there could be a decision as to its defeat.

Now the statements of witnesses: Thus Narada3: "When in regard to the matters set out, a witness who has come to depose does not

^{1.} See Manu Ch. VIII. 109.

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depose consistently and without a flaw, that cannot be regarded as evidence." Some say that where he deposes as to the thing, but fails in regard to the portion as to the quantity, there in regard to the portion of the quantity, other evidence should be resorted to. According to the Sampradâya, other evidence may be taken even (if it be) in regard to a portion of the thing.

For, "where a party's witnesses depose to less or even more, that even may be regarded as non-evidence; this has been declared to be the rule as to witness evidence". When a hundred is in dispute, a statement as to two hundred, leading to a certainty of falsehood, is as good as not said. It is not possible in the case of a plaintiff, by reason of constant company and repetition, that his witnesses who are (thus) reminded, should forget. In the case of a statement as to fifty, in regard to more than that, it is as good as not said. In regard to the portion deposed to, however, it is certainly decisive, so opines the revered Mis'ra. The (author of the) Smrtisara, and others, however, hold that in regard to the entire claim even, there should be other evidence.

Where 'a witness who has heard', however, when asked says "I did not hear this matter', there the point is not established, there being an absence of a concurrence between the (words of the) deposition and the matter in issue. On the other hand, like an eyewitness, where a witness deposes to the very matter at issue from what he had heard, there the claim becomes established. In the case, however, of a taint as to the unreliability of his words, he certainly does not deserve to be admitted as a witness. This is the meaning. (79).

S'ûlapâpi.

Yâjñavalkya, Verse 79.

He, the substance of whose plaint, his witnesses support and declare 'this is true', that man shall be (declared) successful. He whose witnesses speak otherwise, his defeat is certain; vide the text of Vyâsa: 30 "A false claimant is defeated". So Nârada¹: "Regarding the place, time, age, subject-matter, quantity, shape and kind, where there is incongruity, that witness evidence is also worthless". (79).

The Author mentions an exception to the rule²: "sure defeat will be his whose witnesses contradict the plaint."

^{1.} Ch. V. 175.

^{2.} Contained in the last verse No. 79. p. 871,

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Yâjñavalkya, Verse 80.

Even after evidence has been given by witnesses in the matter under consideration, if more qualified witnesses, or double (than those first examined) depose otherwise, the first witnesses become false.

Mitâkṣhârâ:—When evidence has been given by witnesses, sâkṣhibhiḥ, qualified as (stated) above, sâkṣhye, Exception in the matter under consideration, i. e., the to the above. allegations made by himself (and) which is contradictory to the allegations in the plaint, yadyanye guṇavattamâḥ, if others more qualified, than the first, dwiguṇâ wâ, or double in number, depose otherwise, anyathâ: i. e., in support of the allegations in the plaint, then the first witnesses, pūrvasâkṣhinaḥ, become false, kūţâh i. e., prejurers.

Indeed this is improper. For, after the evidence was given by **1**5 witnesses who were fixed upon as the means of proper proof after their competency was determined An objection. by the plaintiff, the defendant, and the presiding officer of the court, to seek after another mode of proof would involve the fault of incongruity as also per the text of Narada: "When a lawsuit has been decided, evidence becomes useless, whether it consists of documents or of witnesses, if such * PAGE 49. evidence was not announced at a former stage of the trial. As the (fertilizing) capacity of the rainy season is thrown away on crops which have ripened, even so evidence 25 becomes useless in suits which have been decided.

To this the answer is: when the plaintiff relying on his own internal consciousness about (the truth of) the The answer. allegations in the plaint, and thus regarding as unreliable the testimony of witnesses who although till then are undiscovered as vicious, yet as it contradicted the plaint, he conceives a defect even in (his own) witnesses, then in such a case, how can other evidence be excluded? It has also been

^{1,} Ch. I. 62-63,

said: "He whose sense of perception is faulty, as also he who has been once found to have told a lie, that man indeed is a bad witness" e. g. although a defect in an organ such as the eye &c. has not been (actually) discovered, still as such a defect in the organ is (still) inferred on the strength of the knowledge thereof by the disagreement with the plaint, so here also on the strength of the rule that the evidence of witnesses should be tested by means other than the mere examination of witnesses, Kâtyâyana² has said "The truth of the words uttered by witnesses should be examined with the help of the Councillors."

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"When evidence is free from (all) faults then (alone) their words should be tested by the principles of justice; and a plaint which has been found to be correct by comparison with testimony (so) refined, is considered as a true plaint; this is the (established) rule³." When Evidence in the form of witnesses is (found to be) free from all faults by reference to the rule⁵ "nor those interested in the suit, nor friends &c." then (only) their words i. e. the words of the witnesses should be tested. And the testing of the words is to be by establishing the truth of the plaint, vide the text: "A clause is refined by (establishing its) truth." From the evidence thus refined, and from the words thus tested whichever (allegation in the) plaint is established, that is considered as a true plaint having been found as such. This is the rule, i. e. the rule of the lawyers. The meaning is that the evidence is considered as true in the absence of any data for inferring a fault in the senses (of perception).

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By Gautama (see Bâlambhatți); or it may also mean, 'he whose esidence is faulty'. Vijñâneśvara, however, takes it to mean 'an organ of perception.'
 Verse, 340.

^{3.} Kātyāyana verse, 409.

^{4.} i. e. new witnesses.

^{5.} Narada ch. I. 177. The full text of this rule is as follows: नार्थसंबंधिनो नाप्ता न सहाया न वैरिण: । न दृष्टदोषा: मश्चन्याः साक्षिणः प्रतिदूषिताः ॥ १७७.

Tr: "Those must not be examined as witnesses who are interested in the suit, nor friends, nor associates, nor enemies, nor notorious offenders, nor persons tainted (with a heavy sin)".

^{6.} i. e. Witnesses first examined.

^{7.} Lit. when once success in the case has been declared.

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After having discussed the witnesses cited as evidence by the plaintiff himself, how can other evidence be accepted as proof? There is no error here. Since by mentioning the rule: "He, who having adduced stronger proof resorts to a weaker one. should not be allowed by the officers of the court Anothor objection to resort to it again when once the case has and answer been determined", Katyayana1 has indicated the admission of another proof before yet the success in the case is determined, since fresh evidence is prohibited at a period subsequent to the determination of success in a case. By stating the rule²: "When a lawsuit has once been decided, evidence becomes useless', Narada also has interdicted fresh evidence only after the determination of the success in a suit and not even before. Therefore it has been established that fresh evidence may be admitted on behalf of a party who is dissatisfied with his evidence even after 'evidence was given' 15 by witnesses.

In such a state of things if there are witnesses who are more qualified than, or are twice in number to, those whose evidence was recorded, or if those cited before are not near (and available) then (the testimony of) these latter alone should be accepted as reliable evidence, the rule contained in the text3: "Whatever witnesses declare quite naturally. that must be received as evidence acceptable in trials", having a universal application in all suits. Also vide the text of Narada4: "When a lawsuit has been decided, evidence becomes useless whether it consist of a document or witnesses, unless it was announced at a former stage of the trial". If, however, those who had been indicated at the earlier stage are not likely to be available, witnesses of a like description should be accepted even though they were not mentioned before, and not an ordeal, vide the text:5 "When witnesses are available a wise man should avoid divine evidence." In the absence of these an ordeal may be admitted as evidence. After this the plantiff must not be allowed to adduce fresh evidence even though he be dissatisfied, as per the text of Manu, but the trial should be concluded.

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Verse, 221.

Of Manu Ch. VIII. 79.

^{5.} Of Manu.

Oh. I. 62.

Ch. I. 62.

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Where, however, the defendant, regarding the witnesses to be faulty on account of their disagreement with his own internal consciousness, is dissatisfied with the witnesses, in such a case there being no scope for a defendant to adduce evidence, the (veracity of) witnesses should be tested by the occurrance of any calamity, either on account of the King or Fate, within the interval of seven days. In such a case, moreover, if they are found to be vicious they should be made to pay the amount of the loan in dispute, and should also be punished, having regard to the amount of the claim in dispute. If, however, no fault is found, the defendant should rest satisfied with that much, as says Manu1: "He, to whom, within seven days of his witnesses having given evidence, happens (a calamity in the form of) a sickness, a fire, or the death of a relative, shall be made to pay the debt and a fine also". This, moreover, should be observed as an exception to the rule2 "He whose witnesses depose to the truth of a plaint shall be successful" in reference to the defendants.

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Some explain the text "even after witnesses have given evidence &c." as meaning that, after the witnesses cited by the plaintiff had deposed favourably to the plaintiff, if the defendant by means of more virtuous or a double number of * Page 50. witnesses establishes the opposite of what was said by the first witnesses, then the witnesses of the plaintiff come to be considered as false. This is wrong; because it would be improper for a defendant (to be called upon) to adduce evidence. Because, a plaintiff is he who affirms a point (which is) to be proved; (and) his opponent, who affirms the negation thereof is the defendant. Here, therefore, the (necessity of the) proof of the negation having a dependence relative upon the proof of the affirmation, while (the proof of) an affirmation being independent of that of a negation, it is proper that the affirmation should be (considered as) the Sâdhya3; by its very nature a negation is

1. Manu Ch. VIII. 109.

^{2.} Of Yājñavalkya II. 79, p. 871.

^{3.} Lit. that which is be established;—a point to be proved. The meaning is that the burden of prof lies upon him who asserts that a certain thing exists. This is in a line with the first elementary principle of the Burden of proof: cf. Section 101-104 of the Indian Evidence Act.

impossible to be ascertained by witnesses and other (means of proof), and hence it is proper that the burden should lie upon the plaintiff alone.

Moreover, it is a universal rule that the burden of proof is regulated in accordance with (the nature of) the answer: "When res judicata and 'special exception' are set up as a combined plea, the defendant should exhibit proof; in (the case of) the plea of denial, the plaintiff (should exhibit it) In the case of an admission, however, it does not become necessary (at all)." Never, however, will the burden lie on both in the same trial, vide the text1: "In one suit the burden of proof cannot lie on two litigants". Therefore the suggestion2 that defendant's witnesses should (be allowed to) testify when they are more qualified or double, (in number) is improper.

15 It may be said again³ (granting all this) where two persons both coming as plaintiffs, each saying I got this as inheritance from a (deceased) relative' 'I got this as inheritance from a (deceased) relative', without having ascertained the priority (of their claim) as to the point of time, in such a case when there are witnesses on both sides, a question might arise as to whose witnesses should 20be accepted, having regard to the text5: "When two persons quarrel for a point, and both have witnesses, the of him who sets up a prior claim should be rule deducible would be that the witnesses should be examined for 25him who first appears as a complainant? And the procedure (contained in the text) "Even after witnesses have given evidence &c. " is intended as an exception to it. And therefore when (in such

^{1.} Of Kâtyâyana verse, 190.

^{2.} viz. as to the meaning of this text of Yajñavalkya.

^{3.} It may be noticed that this objection is raised after the refutation of the last objection, by reference to the text न चेकस्मिन्यिनों &c. The objector saysadmitting this to be correct, what if both the litigants are placed in the position of a plaintiff? In such a case, he maintains that this text should apply; but this too has been refuted in the end by Vijñāneśvara.

^{4.} Of Narada I. 163.

^{5.} Mark the gloss of बाळंभट्टी 'पातिपूर्वत्वाज्ञानेऽपि निवेदनपूर्वत्वज्ञानेन तत्र निर्णयः इति '

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a case) the witnesses of both the prior and the second complainant are equal in merit and number, the witnesses of the first complainant alone should be examined; where, however, the witnesses for the later complainant are more meritorious or are double in number, then the witnesses for the defendant should be examined. And thus there would be no necessity for making a negation a sâdhya, as both parties here set up an affirmative case, and as also the answer is of a kind different from the four varieties of an answer, and thus there is no (necessity for the) adjustment of the burden of proof. And as even according to the Siddhântin the same plaintiff may be put to a double proof in the same trial, so there would be no contradiction in the plaintiff and the defendant being put to two proofs (respectively).

(To this the answer is):—Even this the great teacher⁴ does not admit. Such an import is not obtainable either from the express or implied meaning of the term even (api) in the text: "Even after the witnesses have given evidence." So enough of prolixity.

Viramitrodaya

Of the witnesses who have arrived simultaneously, on a contradiction among them, the rule as to the greater or less potentiality of these has been stated. Now the Author states the rule when they appear separately

Yâjñavalkya, Verse 80.

Sakshibhih sakshya uktepi, 'even when evidence has been given by witnesses', and as compared with these witnesses, better qualified as mentioned before, anye, 'others', of equal number, or also double the number, i. e., witnesses, if anyatha, 'otherwise' i. e., contradictory to the witnesses examined before, brayuh, 'should depose', then, purvasakshinah, 'the first witnesses', Katah, 'false' i. e., false deponents, syuh, 'become'. By the use of the word wa, 'or', in the case of casual witnesses, preponderance in number has been properly adjusted.

^{1.} See p. 661. lines. 17-19.

^{2.} Cf. विषयव्यवस्था See note 4 on p. 708 above.

^{3.} Here ends the objection.

^{4.} आचार्य i. e. विश्वरूपाचार्य.

This, however, before the decision is reached. "When having abandoned strong evidence, one resorts to weak one, he should not again be allowed to resort to that evidence when the members of the Court have come to a decision as to the success (in the proceeding)", this text of Katyâyana¹ having an application after the (result as to the) success. The weakness of the evidence being expressed by the word tyaktvâ, 'having abandoned', as indicative of a deliberate abandonment, points to the weakness also of the evidence indicated before, and so is the prohibition. (80).

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S'ûlapâņi.

Yâjñavalkya, Verse 80.

After the witnesses have given evidence, if those superior in number or with higher qualifications depose to the contrary, then the first witnesses are (to be regarded as) false witnesses. (80).

15 False witnesses have been indicated. The Author (now) mentions the penalty for these.

Yâjñavalkya, Verse 81.

The suborner as well as the (false) witnesses should be separately punished with a fine double the amount in dispute. A Brāḥmaṇa, it has been laid down, should be banished.

Mitâksharâ:—He who by pecuniary bribes &c. prepares
false witnesses is (called) a suborner, kûṭakṛt,
Punishment for Those, sâkṣhiṇaḥ cha, witnesses also, who are
false witnesses. thus false, should each separately be punished
with a daṇḍam dwiguṇam, fine double the
amount, vivâdât, in dispute, i. e. that which has been prescribed
for (the party suffering) a defeat in the case of a defeat in the suit.
A Braḥmaṇa, however, should be vivāsyaḥ, banished, i.e. expelled
from the kingdom, (and) not fined.

This rule, moreover, is to be observed in cases where special motives such as covetousness &c., do not appear, as also when the witnesses are not habituated (to perjury). When, however, a special

^{1.} Verse, 221.

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motive such as covetousness or the like is apparent, or the party is habituated, the rule has been laid down by Manu1: "He who commits perjury through covetousness shall be fined one thousand (panas); (he who does it) through confusion2 (should be punished) in the (punishment laid down for the) lowest Sāhasa; (if he does it) through fear &c. the punishment should be (the same as for) the two middle (Sahasas,) and (if he does it) through (feelings of) friendship, four times the amount of the lowest Sahasa. (121). He who does it, through lust shall pay ten times the amount for the lowest Sáhasa (but), he who does it through wrath, three times the last (of the 10 Sāhasas); (he who does it) through ignorance, full two hundred; but (he who does it) through childishness one hundred (panas). (122)," Here, covetousness (Lobhah) means greed for money: Confusion (Mohah)— a distorted impression. Fear (Bhayam)—acute Friendship (Maitri)—excess of attachment. Love (Kâmah)—desire 15 for an intercourse³ with a woman. Wrath (Krodhah)-non-toleration. Ignorance (Ajñānam)—indistinct knowledge. Childishness (Bâlis'yam) i.e. non-commencement of knowledge. By thousand &c. are intended (to be indicated) the copper panas.

Similarly4: "A just king should, however, fine and banish (men of) the three (lower) orders5 who give false evidence; a Brāhmana he should (only) * Page 51. banish". This, moreover, is applicable to (a case of) a habitual (offence), as the present tense has been used in the term : "Kurvanan (क्रवीणान्), Three classes (trîn varnan) i.e. those commencing with the Kshatriya order, should be fined as before, and banished (pravasayet) i.e. should be killed; as the word prawasa is used in the sense 'to kill' in the Artha-s'astra, and as this text is in the nature of an Artha-s'astra text. There also the (particular kind of) prawásana viz., cutting off of the lip or the tongue, or deprivation of the life should be observed by regard to the subject matter of the (particular) perjury (in question). A Brahmana, however, should

• be fined and banished i. e. expelled from the kingdom. One from

^{1.} Ch. VIII. 121-122.

^{2.} मोह.

^{3.} स्त्रीव्यक्तिकराभिलाष, is a better reading.

^{4.} Manu Oh. VIII. 124,

^{5.} Varnan amia.

whom clothes have gone is a vivàsāh. Having prepared the causal form indicative of 'one who causes (a man) to be without clothes,' the present form is obtained by dropping¹ the ti—by analogy to the rule (in the Vártika): "When there is a suffix at the end of words ending in \(\xi\) the change that takes place is the same as that which takes place when the suffix \(\xi\) is at the end" 'Should make naked' is the meaning. Or, that in which one lives is a vâsa (\(\xi\)) i. e. a house. Vivâsayet therefore would mean-should demolish his house.

Even in the case of a Brâhmana, when no special motive such 10 as covetousness &c. is known, nor a habit, only the fine specified in each place respectively (is to be imposed). In the case of a habit. however, there is a pecuniary punishment, as well as banishment. There, also, the rule as regards the several punishments of vivásana, stripping off of all raiments, demolishing the house, and banishment from the kingdom, should be observed having regard to the surrounding circumstances such as the caste (of the party), the amount &c. If when no special motive such as covetousness &c. is known, as also when no habit is found, in the case of perjury regarding a small claim, even for a Brâhmana there will be a pecuniary punishment as is the case with a Kshatriya. When, however, the claim is 20a large one, banishment from the kingdom is (the punishment). Here in the case of a habit, the rule of Manu should be observed even in the case of all.

^{1.} i.e. अस् in विवासस्. टि "अचोऽन्त्यादि टि" (ब्या॰ सूट १।११६४). "The final portion of a word, beginning with the last among the vowels in the word, is called टि". It is that portion of a word which is included between the last letter and the nearest vowel. e.g. in अझिचित् the portion इत् is टि; as also here in विवासस्, the portion अस् is टि.

इष्ट or इष्टन्—" अतिशायने तमिबिष्ठनो " (त्या. सू. ५१३१५५)—" When the sense is that of surpassing, the suffixes तमप् and इष्टन् are used. णिच्-the Causal.

Here the formation of the word विवासयेत् is explained as follows: विवासयेत् i.e. should deprive him of his clothes विवाससं करोतीति would be विवासस्यिति; but the अस् in विवासस्य is dropped by analogy to the rule in the case of the निद्धता इष्ट contained in the वार्तिक " पातिपदिकाद्धात्वर्शे बहुलिमिष्ठवच्च." e.g. in the case of लघु we get लिचिन्न by dropping the दि, so here also by dropping the दि i.e. अस् in विवासस्यित we get विवासयित.

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It should not, moreover, be supposed that there is no pecuniary punishment for a Brahmana. For if there were no pecuniary punishment, corporal punishment being prohibited. happen that even in petty would offences either punishment of stripping off of clothes, demolishing the house, branding, or banishment would follow, or that there would be no punishment at all. And this would be opposed to the text¹, "In the case even of persons belonging to all the four orders, for those who do not perform an expiation, legal punishment either corporal or affecting property should be ordered". Also vide the text2: "A Brâhmana who carnally knows a guarded Brâhmani against her will should be fined a thousand (panas)". As to the text of S'ankha: "Of the three (higher) orders, (the punishments of) deprivation of property, corporeal chastisement, imprisonment, ordeal, banishment and branding, are ordained for a Brâhmana". Here on account of the contiguity of corporal chastisement the (punishments of the) deprivation of wealth or of the entire property are intended. For, the (punishments of) corporal punishment and deprivation of entire property have been mentioned together in the text3: "As for the Corporal punishment, it begins with (simple) obstruction and extends as far as the deprivation of life; while the pecuniary punishment begins with a Kâkini4 and extends similarly to the loss of the entire estate". As to what has been said4 "He should be expelled out of the kingdom leaving all his property (to him) and himself untouched," it has a reference to the first act of the nature of Sáhasa, and not to all (kinds of) offences.

A corporal punishment, however, does not ever occur for a Brāḥmaṇa as Manu⁵ has stated generally viz: "Let him (i. e. the king) never slay a Brāḥmaṇa, though he is immersed himself in all (kinds of) sins". Moreover Manu⁶ says: "No greater crime is

^{1.} of Kātyāyana, verse, 484.

^{2.} Of Manu Ch. VIII. 378.

^{3.} Nårada Appendix 54. And also of Katyayana verse. 484.

^{4.} The smallest coin. e. g. a Cowrie. It is also described as a money measure, 20 cowries or $\frac{1}{4}$ of a Pana as also that of a Māsha.

^{5.} By Manu Ch. VIII. 380.

^{6,} Oh, VIII. 381,

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possible on earth than slaying a Brâhmana; a king therefore must not even concieve in his mind the idea of killing him (a Brâhmana)".

S'ûlapâni.

The Author states a penalty for a false witness

Yâjñavalkya, Verse 81.

Kûtakrt, 'The suborner', i. e. one who causes false evidence to be adduced, such as the Kshatriya and others, each should be punished with double the amount of that in dispute, as a fine. A Brahmana, however. with undiminished property, is to be exiled from the country. To that effect says Manu1: "Never, on any account, should one slay a Brāhmana, although (he is) immerced in all (kinds of) sins; (the king) should expel him out of the country, with the entire property undiminished A just king should banish from the kingdom after punishment, the member of the three Varnas uttering false evidence; a Brāhmana however should be banished", and various similar penalties varying according to the offences and the Varnas, have been stated by Manu, but are not stated here for fear of prolixity.

Yâjñavalkya, Verse 82.

He who having been called upon and sworn to give evidence conceals it from others under the influence 20 of passion, should be made to pay an eight-fold fine; a Brâhmana, however, should be banished.

Mitâksharâ:—Moreover, he whoever, who having accepted to give evidence as of a witness, and sakshyam s'rávitah, having been sworn to give evidence along with other witnesses, at the time of his deposition, tamovrto, being under the influence of passion i. e. with his mind seized with the feeling of anger &c, nihnute, conceals, sâkshyam his evidence, annyebhyah, from others i.e. witnesses with the words: "I shall not be a witness here &c."

Penalty for not giving when knowing (the facts).

that man dâpyah, should be made to pay a fine ashtagunam, eight-fold of the amount of the evidence fine (payable) in case of a defeat in the suit. A Brahmana, however, who is unable to pay an eight-fold amount as fine should be banished. The penalty of banishment, however, should be

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observed to be either the stripping off of clothes, the demolition of the house, or the expulsion from the kingdom according to the nature of the subject-matter of the suit. In the case of others, however, when an eight-fold amount as fine is not possible, the penalties of doing such labour as is appropriate to the caste, fettering in chains, or incarceration in jail, and like others should be observed. And this, again, should be followed (to be the rule) even in the last verse.

When all withhold evidence, then the liability of all is equal. When, however, having given evidence, they speak falsely, then they should be punished, regard being had to the exigencies (of each case). As says Kâtyâyanâ: "Having once given evidence, those who depose to the contrary are liable to be punished, (as) they are guilty of prevarication".

Nor, moreover, ought the witnesses cited by one be approached in secret by another. As says Nârada²: "One * Page 52. should not approach in secret a witness cited by the other (side), nor should he (try to) win him over through other (means). A party resorting to such practices is (liable) to lose."

Viramitrodaya.

The Author mentions the penalty for false witnesses

Yâjñavalkya, Verses 81 & 82.

Kūtakṛtah, 'The suborners', fraudulently carrying on transactions, in short, who make false statements; those witnesses who are of such character, these pṛthak pṛthah, 'separately' i.e., each one, vivâdât dwiguṇam, 'twice the amount of that in dispute', should be compelled to pay as daṇḍa, 'penalty' i.e., should be punished. In some places the reading is হোৱাহ্যতন Kūṭasākṣhyakṛta 'who have been induced to give evidence fraudulently'.

This, moreover, by reason of the many causes such as covetousness and the like as indicated by the word tatha, 'also', to one who has been unnecessarily defeated, an amount of money equal to that in dispute should be caused to be paid as a penalty. This is the substance.

^{2.} Oh. I. 165.

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A Brahmana, however, should be driven out of his country, Smrtah, so it has been declared in the smrtis, and is not to be punished by a money fine.

Yah, 'he', however, sakshyam, anyebhyah śravitah, śravitavan, 'having been called upon and sworn to give evidence by other' and 'after agreeing', i.e., having declared 'I know this fact', afterwards tamovrtah, 'under a feeling of anger', i.e., with his mind oppressed with a feeling of anger, fraudulently, &c., sakshyam nihnute, 'conceals his evidence', i.e., at the time of making the statement makes trouble, that man should be compelled to pay a penalty of eight times the amount in dispute. For this kind of offence also, a Brahmana should be banished only; by the use of the word tu, 'however' has been excluded a pecuniary penalty.

Vishnul says: "For false witnesses, the confiscation of the entire property". This moreover has a reference to those who are so by habit.

Manul: "(If) from covetousness, he should be fined one thousand (panas); (if) through confusion, however, the first amercement; (if) through fear, the two midling (amercements) should be the penalty; (if) through friendship, four times the first (121). (If) through lust, ten times the first, while (if) through anger, three times the last; (if) from ignorance, full two hundred (panas), and (if) through childishness, one hundred (122). The wise have mentioned these as the punishments for false evidence (81-8).

S'ûlapâņi.

Yajñavalkya, Verse 82.

In the matter of evidence sworn and concealed from others, for him is a penalty of eight times the amount in dispute. The rest is clear.

Not giving evidence, as also giving false evidence has been generally prohibited of the witnesses. The Auther mentions cases by way of exception to it

Yâjñavalkya, Verse 83 (1).

Where men of the (four) orders are (likely) to suffer capital punishment, there a witness may speak an untruth.

^{1.} Ch V. 175. 2. Oh. VIII. 121, 122, 123.

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Mitakshara: -Where, if a fact is deposed to, there is the likelihood of a capital punishment (being given) to men of the four orders, varninām i.e. of the Author The S'ûdra, Vais'ya, Kshatriya and Vipra classes, a case indicates sākshi anrtam vadet, a witness may speak where untrue testian untruth, i. e should not speak the truth. mony is permis-And by this prohibition against true evidence a sible. permission for refusing to give evidence, or for giving false evidence is given for witnesses of whom it has been prohibited before1.

Where e. q in the case of a complaint founded on suspicion, by speaking the truth a varni is likely to suffer capital punishment, and by speaking an untruth no one is to suffer capital punishment, there an untrue testimony is permitted. Where, however, by speaking the truth either the plaintiff or the defendant is likely to suffer capital punishment, and also by deposing falsely one of the two is likely to suffer capital punishment, there a refusal to give evidence is allowed, provided the king permits. If, however, the king does not let off in any case unless testimony is given, then an incapacity for a witness on account of depravity should be incurred. If that too is impossible then the truth alone should be spoken. For by giving false evidence the taint of a capital punishment for a varni, as well as that of giving false evidence is incurred. By speaking the truth, however, there would only be the taint of a capital punishment for a varni. In such a case, moreover, an expiation should be made according to the S'astra.

(It may be said) then there would be no sin in giving false evidence or in maintaining silence, as the same has been permitted by S'āstra, so the Author says

Yâjñavalkya, Verse 83 (2.).

For purification from that (sin), the special oblation of rice known as the Saraswata should be presented by the twiceborn.

^{1.} Yājn I. 82 p. 884.

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Mitâkṣharâ:—Tatpâvanāya, for purification from that (sin), i.e. for the atonement of the sin on account of the false evidence, or a refusal to give evidence, Sâraswata charu, the rice oblation, nirvāpyaḥ, should be presented, by dwijâs, the twice-born, each separately. A sacrifice wherein the presiding deity is the goddess Saraswati is (called) a Sāraswata: The word charu is well known as indicative of boiled rice which is hot and from which water has not been allowed to flow out (while it was boiling).

Here this is the meaning: False evidence or a refusal to give evidence which has been prohibited for witnesses before, has here been sanctioned. This expiation is in reference to the transgression of the rules generally prohibiting the giving of false evidence or not giving any, and as is to be found in the texts: "One should not tell an untruth"; "a man incurs a sin by not giving evidence, as also by giving a distorted one."

It may be objected that this text which is in the nature of a sanction is meaningless inasmuch as even with this text allowing witnesses to tell an untruth or not to speak at all, the text propounding the sin incurred by reason of the infringement of the general rule prohibiting witnesses from either speaking an untruth or not speaking at all, remains where it was. But it is not so. For the sin accruing from the infringement of the rule prohibiting witnesses from telling an untruth or not speaking at all is great, while that due to the infringement of the general rule is small, and thus the text in the nature of a permission has a meaning.

Although in other cases the removal of (the taint of) a greater sin would also secure the removal of the smaller sin which is (only) a part (of the greater one), still here by reason of the (special) sanctioning text, as also by reason of the rule as to expiation, it appears that by the removal of the greater (sin) the smaller one is not removed although it is a part of it.

This text should also be understood as a permission for speaking an untruth, or not speaking at all, in the cases such as those of travellers and others where there is the danger of a capital

^{1.} Manu Oh. VIII. 13.

punishment being passed upon a warni. And as there is no other (special) prohibition, there would be no (necessity for an) expiation. In case the real facts are disclosed in course of time by other causes, the absence of a punishment for witnesses and others also is inferrable from this very text.

Here ends the Chapter on Witnesses.

Viramitrodaya.

Thinking of an exception to the penalty etc. for false evidence, the Author proceeds

Yâjñavalkya, Verse 83.

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Yatra, 'where', varninam, 'of the varnis' i.e., of the Brahmana, Kshatriya, and the Vaisya, vadhah, 'capital punishment', i.e., loss of life, results upon stating the truth, tatra, 'there', sakshi, 'a witness', anrtam, 'an untruth' i.e., such as may be of use in preventing the loss of life, vadet, 'may speak'.

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Tatpavanaya, 'for purification from that' i.e., for the wiping off of the (sin of) false statement by means of a penance, Sarasvatah, i.e., intended for the goddess Saraswati, as stated before, nirvapyah, 'should be offered', thus by means of a part, the (whole) sacrifice has been indicated.

It should not in contended that here the making of a false statement having been permitted, performence of a penance is incongruous; for although this is an exception to the rule stated before regarding the sin generated by the false statement of a witness, still to the general rule about the sin resulting from a false statement, no exception having been stated, the performance of a penance becomes possible.

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Some say, that here is a case of a resort to an unavoidable course, by reason of this sin being smaller as compared with the sin consequent upon the execution of a member of the Varnas.

In fact, in this case no sin is generated; by the expression for 30 purification from that it is meant to indicate that there is an absolute

1.º Here Mitramisra gives his own view which in short is that just as killing an animal in a sacrifice is no sin, as it is done under an injunctive text, so here also there is no sin at all. The analogy, however, does not hold here, the expression argument for the purification of that in terms assumes that there is something which requires purification.

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absence of the sin generated by non-action in the making of a false statement, just as is the case in the killing in a sacrifice. And hence also in the text!: "Where, as the result of a (true) statement, the loss of life is possible of a Sudra, Vais'ya, Kshatriya, or a Brahmana, there an untruth may be stated; that (i.e., untruth) far excels the truth", Manu has stated an absence of sin. Gautama² also: "No guilt is incurred by giving evidence, in case the life (of a being) depends upon it; not, however, of a very wicked (individual)". In this connection, Manu³ has stated another mode of penance: "Or one may offer oblations of clarified butter in the Fire with the Kashmanda hymns according to the ritualistic procedure, or with the rk 'udit', or with the rk addressed to Varuna, the three rks addressed to the God of water." Vishnu, "A Sudra, however should offer fodder for ten cows (which would be sufficient) for a day."

Thus, in the commentary upon Śrimat—Yajñavalkya ends the Chapter on Witnesses

8'ûalpâni.

The Author mentions an exception to the speaking of the truth

Yajnavalkya, verse 83.

Warninám, 'of the varnis' i. e. of the four varnas such as the Brāḥmaṇa and the rest, where vadha, 'killing' is possible, there a witness may speak an untruth. For the wiping off of the sin thereby generated, a sacrifice to the goddess Saraswati should be offered.

Although, it has been stated in the text of Manu⁵, "Never should one kill a Brāḥmaṇa" still in the case of a king with a strict enforcement of panalties, killing of a Brāḥmaṇa becomes possible. This is to be understood as being done by mistake. So also Gautama⁶: "There is no sin in (stating) an untruth, if the life (of a being) is dependent upon it, but not the life of a very wicked (one)." (83).

Here ends the chapter on Witnesses.

^{1.} Ch. VIII. 105.

^{3.} Oh. VIII. 107.

^{5.} Ch. VIII. 381.

^{2.} Ch. XIII, 24-25,

^{4.} Ch. VIII. 17.

^{6.} Ch. XIII, 24, 25.

Chapter VI.

OF DOCUMENTS.

* Page 53.

Possession and witnesses have been explained. Now begins the consideration of documents.

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Here, a writing is of two sorts, a S'asana (a royal grant), and a Jânapada (executed between citizens). S'asana has been explained. (Now) Jânapada is being explained. That, moreover, is twofold—one in his own handwriting, and the other in another's hand. Of these, that in one's own handwriting may be without any attestation, while that in another's hand should bear attestation by witnesses. These two are accepted as proofs having regard to the usage of the country, as says Nârada²: "A Document has been said to be of two kinds (1) in the handwriting of the party himself, and (2) in that of another person, and respectively not having or having attesting witnesses thereon. The validity of the two (kinds of documents) depends upon local usage."

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Of these the Author mentions documents in the handwriting of another person

Yâjñavalkya, Verse 84.

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In every transaction where an amount has been agreed to by a contract entered into by mutual consent, there should be made a writing about it with (the attestation of) witnesses (thereon), and with the name of the creditor,

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Mitāksharā:—Between the creditor and the debtor whatever arthah, amount, e. g. gold &c. parasparam swaruchchyâ, by mutual consent, e. g. "so much should be paid after such and such an interval; so much should be the monthly rate of interest &c."

^{1.} See Yājnavalkya Achārādhyâya Verse 318 p. 580, 11. 4-7.

^{2.} Oh. I. 135.

nishnatah, has been agreed to by a contract, i. e. settled; in reference to such an amount, if in course of time a dispute arose, for the determination of Regarding doreal facts, lekhyam sâkshimat, a writing with cuments in the 5 hand of another (the attestation of) witnesses (thereon) i. e. with the attestation of witnesses of the qualtities as person. described above, dhanikapūrvakam, (commencing) with the name of the creditor-that wherein the creditor is (mentioned) first is a dhânkapurvakam-that is to say, where the name of the creditor is mentioned first-karyam, should be made, i. e. possessing the qualifications should be executed. Or persons, mentioned above should be made witnesses. Vide the text: "In disputes regarding whatever act has been done by a party, either witnesses, or a document in his own hand is ordained for establishing the transaction." 15

S'ûlapâṇi. Yâjñavalkya, Verse 84.

Yah Kaśchit, 'whatever', in the form of a loan transaction, arthah, has been fixed by mutual consent, 'by such an interval so much is to be paid' and the like, in such a transaction, a document with witnesses i. e. a document bearing witnesses, should be made and that too by first putting the name of the creditor before the name of debtor is written. (84).

Yâjñavalkya, Verse 85.

And containing, among other things, the year, the month, the half of it, the day (of the month), the names, the castes, and the names of their own gotra, as also the scholastic title, and the names of self, father, and such other details.

Mitâksharâ:—Moreover, samâ, the year i. e. the cyclial year; mâsah, month, e.g. Chaitra &c; tadardham, the half of it, i.e. the fortnight i. e. the bright or dark (half); ahah, the day, i. e. the date such as the pratipad &c; nâma, names, i. e. of the creditor and the debtor; jâtih, caste, i.e. Brâhmana &c; swagotram, the names of their own Gotra. e. g. Vâsishtha &c. containing these i. e. the year &c.

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^{1.} Of Narada.

&c. Similarly, sabrahmacharikam, the scholastic title, e.g. he is the master of many branches of learning i.e. his academical title, such as 'Katha the master of many branches,' âtmiyapitrnâma, the name of self and father; i.e. the name of the fathers of this creditor and the debtor. By the (use of) the term Adi, such other, are included the amount, the caste, the quantity of the amount, the day of the week &c. A writing, containing these ahould be executed; this is the connection (of this verse) with the last (verse).

S'ûlapâni.

Yajñavalkya, Verse 85.

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Gotra itself is sagotra; sabrahmachárikam, 'the scholastic title' such as, a student of such and such Śākhá, that writing should have noted on it, the year &c. By the use of the word $\hat{a}di$, 'and the like', also of the thing, quantity, kind, and the like. (85).

Yajnavalkya, Verse 86.

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After the contract has been executed completely the debtor should enter his name with his own hand (at the end) with the words: " what is written above has the assent of me the son of such (and such) a one."

Mitakshara: -- Moreover, the contract which was agreed to 20 between the creditor and the debtor by mutual consent, samâpte, after it had been completely Consent of executed, i. e. written down, rni, the debtor, i. e. the debtor. the person who incurs (the liability of) the loan, nives'ayet, should enter, i. e. write in the document his own name 25swahastena, with his own hand, i. e. with the words: "Whatever

The original in बहुच:—Doctor of learning.

Referring to this rule in a case of a will made by a Hindu, which was not written by the testator, nor in which was his signature attested, Sir M. Westropp C. J. observed: "We do not think that we are bound to apply this rule strictly, at all events to documents such as wills, which were not recognized by Hindu Law, and were therefore, not within the contemplation of the author." Radhabai v. Ganesh I. L. R. 3 Bom. 7 at p. 8.

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has been written above in this document, matam, has the assent of me, i. e. is what was intended by me, mama, the son of such and such'

S'ûlapâpi.

Yâjñavalkya, Verse 86.

The meaning (of this verse) is plain. In the case of one ignorant of writing, Vyâsa states a special rule: "A debtor who is ignorant, should cause his assent to be written; or even a witness (who is ignorant) by a witness, or by any other in the presence of all witnesses." (86).

Yâjñavalkya, Verse 87.

The witnesses also, should subscribe in their own hand with their fathers' names before theirs, thus: "Here, so and so, am a witness;" these (witnesses) should be equal.

Mitâksharâ:—Similarly, those persons who have been indicated as sâkshiṇaḥ, witnesses, in that document,

* Page 54 these also should each separately, swahasténa,
in their own hand, subscribe their names preceded
by those of their fathers with the words: "I so and so, Devadatta, am
a witness to this transaction." These, moreover, should be (so)
selected (as to be) samâḥ, equal, in number and quality also.

If a debtor or a witness is not literate, then the debtor through another person, and the witness also through another witness, should in the presence of all the witnesses, cause his declaration to be written down. As says Narada: "A debtor who is illiterate should cause his declaration to be put in writing in the presence of all the witnesses, so also should a witness (who is illiterate have it written) by another witness."

S'ûlapâņi. Yâjñavalkya, Verse 87.

30 Samah, 'equal' i. e. equal in qualifications. Those who, however, are ignorant of writing should have it written—thus it has been stated before. (87).

Yâjñavalkya, Verse 88.

"Being desired by both the parties this was written by me so and so, the son of so and so.", thus at the end (of the document) should the writer then subscribe.

Mitâks'harâ:—Moreover, then lekhako, the writer, ubhābhyám prârthitena, being requested by Writer's both, i.e. the creditor and the debtor—"By me such endorsement. and such Devdatta, the son of Vishnumitra this document likhitam, has been written", iti ante

likhet, thus at the end he should subscribe.

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Now the Author mentions about a document made in one's own hand

Yajnavalkya, Verse 89.

Although it be without witnesses, a writing which is in one's own hand, all that is declared to be evidence, except 15 when it is caused by force or fraud.

Mitâks'harâ:—Yallekkhyam, that writing, which has been written by the debtor in his own hand, such a writing, tat sâkshibhirvinâpi, although it be without witnesses, has been laid down by Manu and others to be evidence, balopadhikṛtādṛte, except when it is caused by force or fraud, i. e. with the exception of that which has been caused by force i. e. compulsion, or by fraud i. e. in the form of (creating) deception, temptation, anger, fear, intoxication &c. Nârada¹ also says: "That document has been laid down as invalid² which has been executed by a person intoxicated, by one against whom a charge had been pending, by a woman, or by a child, and that which had been executed under compulsion; also that which has been caused by fear or fraud".

Such a document, moreover, whether it be written in one's own hand or in that of another, whether it be passed in the course of a transaction with or without security, should thus far be written conformably to the usage of the country, and should be without

^{1.} Ch. I. 137.

^{2.} अप्रमाण-unreliable as evidence.

prejudice to the rules as to the sequence of sense and the order of words, and should be without dropping any letter or alphabet. It need not, however, be necessarily (couched) in nice language; it may be written even in the peculiar native language of the particular locality. As says Nârada: "That document is said to be valid which is not opposed to the custom of the country, the contents of which answer to the rules regarding pledges, and which is not in disregard of the rules about the sequence of ideas and words."

That which explains in detail is a (rule) vidhih. (vidhi) regarding a pledge (âdhi) i. e. for executing a pledge. Its 10 characteristic i. e. 'a pledge for custody', a 'usufructuary pledge', a 'pledge with a time limit' &c. That wherein its characteristics are distinct is vyaktâdhividhilakshanam 'the contents of which answer to the rules regarding pledges &c.; Aviplutakramâksharam, 'which is not in disregard of the rules about the sequence of ideas and words'. 15 Sequence i.e. of ideas (krama). Krama and aksharas make up the compound word kramakshara. That wherein the sequence of ideas and words has not been disregarded is aviplutakramâkshara. a document of this description, is legal evidence. There is no rule 20 as regards nicety of language here, as in the case of a royal grant. This is the meaning.

Viramitrodaya.

Now the Author expounds the document as a means of proof Yajnavalkya, Verses 84, 85, 86, 87, 88, 89.

A document is of two kinds, (one) made in one's own handwriting, and (the other) made in another's hand. Of these, the last should be made with witnesses etc. The first, (even) without witnesses is good evidence if not made under compulsion or through fraud. This is the difference. But a possibility exists of a suspicion arising about a document written in one's own hand, and with a view to dispel it, that also should be made with witnesses on. Other kinds are of the ordinary particulars.

Yah kaschit, 'whatever', arthah, 'transaction', in the form of a loan or the like, parasparam, 'mutually', by the debtor and the

^{1.} Ch. I. 136.

creditor, i.e. between both, by the consent of each, nishnatah, 'agreed to', i.e. was established, in such a transaction, lekhyam, 'a document', with the name of the creditor first written, in the form of recitals couched in expressive language (84). Together with sama, 'the year', masa, 'the month', tadardham, 'its half', i.e. the fortnight'; ahah, 'the day', i.e. the date as well as the day of the week. Together with this, the names of the debtors and the like others who have been the recipients of the loan by its acceptance, also of both the debtor and the creditor, jatih, 'caste' such as, a Brahmana and the like; sagotram, 'together with the gotra', i.e. gotra only—at some place the reading is swagotraka—containing these.

Along with Katha and the like others, samanam one who studies the Brahma, i.e. a branch of the Vedas, is a sabrahmachari, 'of the same school'; such a portion. Sabrahmacharikam, 'the scholastic title' of the debtor and the creditor, the fact of their pursuing the study of Katha or a like other branch (of the Vedas), âtmiyam, 'of one's' i.e. of the creditor and the debtor, pitarau, 'the parents' their names. By the use of the word âdi, &c. are included the amount, its kind, and quantity, and the like; marked with these, should be made.

By the use² of the word tu, 'however', are excluded those made under compulsion or by fraud; by the second use is excluded one without a document when the document is written by another. This, moreover, should be borne in mind, that even if written by another, a document if admitted to be an extremely honest transaction is good evidence even if it be without a witness; otherwise, however, the decision is to be reached by means of witnesses. There, the document is used as a means of reminder to the witnesses.

Artha, 'the contract', when (it is) completely written down; rni, 'the debtor', yadatra patre lekhitam, 'whatever has been written in this document', that, matam me amukaputrasya, 'has the assent of me the son of so and so.' Thus, after having written this in order, he should write his own name with his own hand, and enter it in the document.

In the case of one ignorant of writing, Vyasa states a special rule: "A debtor who is ignorant, should cause his assent to be written; or even a witness (who is ignorant), by a witness, or by any other, in the 35 presence of another and the witness." (86).

"With witnesses', so has been stated. There, the Author mentions the mode—sakshinascheti, 'witnesses, &c.', samah, 'equal', i.e.

^{1.} पक्ष:—either the bright or the dark half of a month, ग्रुह्न or कृष्ण.

^{2.} i. e. in verse 84.

with equal qualifications, te, 'these', i.e. the witnesses, swapitṛnāma-lehhanapūrvakam, 'with their father's names written before', atra, 'in this transaction', aham amukah, 'I, so and so' by name, sakṣhi, 'am a witness', thus swahastena, 'in their own hands', likheyuh, 'should (they) write'. Those who are ignorant of writing should cause it to be written; this is indicated as an addition by the word cha. (87).

Tatah, 'thereafter', i.e. after the name of the witness was written, lekhakah, 'the writer', i.e. the writer of the document, ubhabhyam, 'by both' i.e. by the creditor and by the debtor, arthitena, 'being requested', by name so and so, by myself this, likhitam, has been written', thus ante, 'at the end', i.e. rounding up the remaining portion of the document to be written, himself likhet, 'should write'.

By the use, twice, of the word hi, the object of recording the request, and also the understanding of the import of the document, has been pointed out. (88).

Vinapiti, 'even without, &c.', has been explained before. By the use of the word tu, is excluded a document written by another and executed with attestation. Sarvam, 'all that', by this is expressed all the writings, viz., of the plaintiff, witnesses, the writers of the 20 documents, etc. (84-89).

S'ûlapâni.

Yâjñavalkya, Verses 88, 89.

The meaning (of Verse 88) is plain.

A document written by the hand of the debtor, even though it be without attestation, still it is good evidence, provided it does not happen to have been caused to be made under compulsion or by fraud. Upádhih, 'fraud' i.e. deceit. So Brhaspati': "A document executed by a dying person, an enemy one oppressed with fear, a woman, a suffering person, one intoxicated, distressed by a calamity, at night, by fraud, or by force, does not hold good". (89).

While discussing the rules about documents the Authormentions the rule that a debt entered into a document should be paid by three (generations in descent) only.

^{1.} Ch. VIII. 23.

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Yâjñavalkya, Verse 90 (1).

A debt evidenced by writing should be paid however by (persons in) three (generations) only.

Mitâksharâ:—As a debt evidenced by a witness should be given by three (generations) only, so also it is ordained that a debt evidenced by a document should be paid by the borrower, his son, and the sons of that son *i. e.* by three (generations) only, and not by the fourth and others.

An objection:—Indeed by the text¹ "sons and grandsons should pay a debt", it has already been established as a general restrictive rule that a debt should be paid by three only.

The answer:—True. But this text has been mentioned with a view to meet a suggestion which may likely be made that a debt entered in a document might be understood as an exception to this general rule on the strength of its having been found in another Smrti. For, after mentioning the characteristics of a document it has been said by kâtyāyana: "Thus, an ancestral debt is made payable after the (proper) time has passed". Thus an ancestral debt which is entered into a document is made payable even though the time (for payment) has passed. Here by the use of the plural in pitrnâm, 'of the ancestors' as also from the expression time has passed, it is inferrable that the fourth

Moreover, Harita also has said: "To him in whose possession the document purports to be, should payment be directed to be made." Here also by the general rule that 'the debt is his who has the document in his custody', the inference arises that the payment of debts may be made to the fourth (descendant) and others. Therefore it is proper that the present text is for the purpose of removing the doubt. The two texts, moreover, should be supplied in pursuance of the text of the Lord of the Yogis³.

(descendant) and others may be made to pay2.

* PAGE 55.

Verse 50 See p. 792.

^{2.°} See Masit Ullah vs. Damodar Prasad 53 I. A, 204; 48 All 518 Also Sheo Ram vs. Durga 3 Luck, 700. Where the Privy Council held that a son was bound by the sale of ancestral property by the father for paying off a debt of his grandfather i. e. the grandfather of the son.

^{3.} i. e. The sage Yâjñavalkya.

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The Author mentions an exception to it Yâjñavalkya, Verse 90 (2).

A pledge, however, is enjoyed as long as it is not paid off.

Mitakshara:—The non-liability for paying a debt having become established by the (general) rule in the text: "A debt is payable by three only, although it is reduced to writing and is with a security," an incapacity for recovering a debt might also be inferred. With a view to (avoid) this, the Author has stated this (text).

By saying that 'a pledge may be enjoyed even as long as the debt is not paid off, whether by the fourth or the fifth' a capacity has been indicated in favour of even the fourth (person in descent) for redeeming a secured debt.

An objection !—But this too has been once stated already in the text¹: "a usufructuary pledge never lapses".

The answer—True, still if this text which is in the nature of an exception, were not given, it (i.e.) the capacity would be confined to three persons only. Thus everything is without a fault.

Viramitrodaya

A document, sometimes is not regarded as conclusive evidence.

The Author states that

Yanjavalkya, Verse 90.

A loan which has been entered in a document, tribhireva, by (descendents to) three (generations) only, deyam, 'should be paid'. By the use of the word eva, 'only', are excluded the great-grandson and others. Therefore the meaning is that even if there be a document, a loan cannot be enforced against a great-grandson and others. By the use of the word tu, 'however', is excluded the liability of the grandson to discharge a surety liability included and joined to the word rnam, 'debt.'

Adhih, 'a pledge', a possessory pledge such as land, &c., tâvat bhujyate, 'is as long enjoyed', yâwat, 'so long', tad, 'that', pledge, i.e. that debt is not paid back by the debtor to the creditor. The meaning is that in that way, therefore a document of pledge evidences a good claim even beyond three generations. (90).

^{1.} Verse 58 at p. 820. l. 18.

S'ûlapâņi.

Yâjñavalkya, Verse 90.

A loan as described before entered in a document, excepting a pledge, should be paid by (members of) three generations; not, however, by the fourth. In regard to the rule laid down in the text¹: "by the son and the grandsons the debt must be paid", this text is intended for limiting it. Where a debt has been advanced after taking a pledge, there this rule does not apply; so Manu²: "In regard to (amorous) women, at marriages, for the cow's fodder, as also for fuel, and (in anything) in favour of a Brâhmaṇa, for a (false) swearing there is no sin". (90).

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Having disposed of a matter which had occasionally arisen, the Author resumes the subject in the context proper.

Yâjñavalkya, Verse 91.

If a document is in another country, is badly written, or is lost, as also, if it is stolen; likewise if it is torn, burnt, or cut asunder, another should be allowed (by the king) to be made (in its place).

Mitâksharâ:—The rule which is now being laid down is that when a document has become unfit for a Regarding suit, another should be made. And unfitness for worn out and a suit arises, when the document is des'ântara-other documents. sthe, placed in another country, which is at a long distance; durlekhye, when the document

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is badly written, that is—wherein the writing i. e. the character or words are bad i.e. ambiguous or unintelligible, is (called) a badly written document; in such a badly written document. Nashte, lost, i. e. in course of time; unmrshte, effaced, i. e. where the characters and letters have been rubbed off on account of the weakness of the ink.; hrte, stolen, i.e. by robbers &c.; bhinne, torn, i.e. tattered; dagdhe, burnt, i. e. has taken fire; chhinne, cut asunder, i. e. when it is cut into two separate pieces.

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This (rule applies), moreover, when there is mutual consent of the plaintiff and the defendant. In the case of a difference, however,

^{1.} Verse 50 p. 792.

^{2.} Ch. VIII. 113. It does not appear why this verse is cited here.

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and when parties go to law, time should be allowed (as may be necessary, for producing the document which is in another country, having regard to the inaccessibility and badness of roads.

In the case of a document which is lying in a place which is inaccessible, or which is lost, a suit should be decided by means of witnesses only. As says Narada¹: "When a document has been transferred into another country, or burnt, or badly written, or stolen, time should be allowed in case it should exist still; if it be not in existence, the evidence of those who have seen it decides the matter". In the case of a document which exists i. e. is still in existence, for producing it from another country time should be allowed i. e. an interval of time should be granted.

In the case, however, of that which does not exist *i.e.* has ceased to be in existence, the suit should be decided by examining those witnesses who have seen it before. When, however, there are no witnesses, then the decision should be made by (a resort to) an ordeal, *vide* the text:² "In a suit where a document or witnesses are unavailable, the divine proof should be exhibited". This refers to a document between (private) citizens.

Similar is (the case with) a Royal grant. This, however, is the difference: "A document is known as a Royal grant which bears on it the King's own handwriting, and which is marked with his own signet seals; it is (valid as) evidence in all transations." Similarly another (kind of) royal deed evidencing success has been mentioned by Vrddhavasishtha: "That is called a jayapatraka (a document evidencing success) in which is indicated the manner how the point at issue was proved, which contains the answer as well as the proof, and which has also the decision (recorded) in it. To the litigant who wins and who has established his point, the jayapatraka should be delivered over impressed with the Royal seal and having the signature

^{1.} Oh. I. 146.

^{2.} Of Katyayana, Verse 224.

^{3.} See Kâtyâyana, Verse, 258.

^{4.} A ज्यापनक a decretal documenent, decreta, a decree and judgment. Jayapatraka is a "certificate of success" supplied to the successful litigant as evidence of his success in the particular suit. A Hinapatra—"a certificate of defeat" is only evidence that a particular person was defeated in a particular plea or pleas in a certain litigation.

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thereon of the Chief Judge in his hand." Similarly the councillors also should add in their own handwriting thus: "This is approved by me the son of so and so &c." vide the text of Manu: "And also the councillors such as are versed in the Smrtis and the Såstra, should

* PAGE 56. procedure (prescribed) for documents". Moreover, a proceeding is not declared to be free from
defect except with the unanimous consent of the councillors, as says
Nârada¹: "That (decision of a) dispute is considered to be without
a dart where all the members of the judicial assembly declare, 'This is
right', otherwise the dart remains in it.''

Moreover, this rule applies only in the case of a judicial proceeding which contains (all) the four components; vide the text²: "That is declared to be a jayapatraka which proves the matter in issue, which contains (all) the four components, and which also bears on it the Royal seal." Where, however, there is a defeat, as in the text³ "One who alters his former statement, one who shuns a trial at law, one who does not put in an appearance, one who makes no reply, as also one who absconds after being summoned—these are the five varieties of a faulty (Hîna) litigant."—in such a case no jayapatraka is given, but only a hînapatraka—a certificate of a defeat. This (last) moreover is given with the object of imposing a penalty in course of time, while a jayapatraka is (given) with the object of establishing the plea of res judicata. This is the distinction.

Viramitrodaya

When a document, executed at the time of the transaction of the loan, by reason of its location in another country or a like cause, is not likely to be available for being proceeded upon at the time of the action, another document should be made. That, moreover, when agreed to by both is good evidence; so the Author says

Yâjñavalkya, Verse 91.

When a document is desantarasthe, 'located in another country', 2.e. lying, in a place other than the one in point; dushte, 'is faulty', i.e.

Oh. III. 117.
 Of Kâtyâyana.

^{3.} Nårada II. 33. The meaning is that here the plaintiff was put out of the court on account of a defeat in his side; and not that the defendant got success after a contest.

the letters in which are ambiguous; nashte, 'is lost', by the paper being destroyed; unmrshte, 'effaced' owing to the weakness of the ink. the letters in which are rubbed off; bhinne, 'torn', i.e. on account of the papers being separated, cut into two; dagdhe, 'burnt', by fire; or chhinne, 'cut asunder', i.e. being cut into tatters, being split into two: annyallekhyam, 'another document', karayet, 'should be caused to be made '.

By the use of the word tatha, 'likewise', is included the compound word formed; and by cha is included the one taken away by a thief. 10 By the use of the word eva, 'also', the making of another document is excluded in the absence of its being located in another country, &c. If the other side, with a sinful desire for appropriation, does not accept the former document, then after having established (the fact of) the former document by means of witnesses and the like means, another document should be made. (91).

S'ûlapâni.

Yâjñavalkya, Verse 91.

Unmrshie, 'effaced', brought about by a defect in the ink; by the use of the word bhinne, 'torn', i. e. cut, chhinne, 'tattered', i. e. shattered, another document with the consent of both may be caused to be made. (91). 20

The Author mentions the ways of deciding a case when a doubt or dispute about document arises

Yâjñavalkya, Verse 92.

The genuineness of a doubtful and disputed document may be established by (comparison with other) documents 25and (other writings) of the party (written) in his own hand, and by similar other means; as also by presumption, by confrontation of parties, by direct proof, by marks, by previous connection, by (a probability of) title and by inference. 30

Mitâksharâ:—Lekhyasya, of a document, sandigdhasya, which has been doubted as to whether it is genuine, s'uddhih, the 35

^{1.} i. e. the several circumstances mentioned in the text such as its being in another country, or lost &c.

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genuineness, syāt, becomes established, swahastalikhitâdibhih, by comparison with other documents and similar (other writings) of the party, i. e. by (establishing) the genuineness by (means of) another document which was written by him in his own hand. The meaning is that if the letters are similar, the genuineness would be established.

By (the use of) the expression, adi, such other, it is implied that the genuineness is established by (pointing out) a similarity with other writings of the witnesses, or the writer, written in their own hands (with the one in dispute). A conclusion arrived at by regard to probability is a presumption, yuktipraptih; Prâptih—is the (presumption arising from the) connection with the thing in dispute, with the country, period, and persons. A yukti-is a probative reasoning as e. g. in 'It is probable that this (particular) thing may belong to this (particular) individual", kriya, direct proof; i. e. the adducing of witness evidence on the point; chinham, marks, i. e. distinctive marks such as a S'ri (新) &c.; sambanhdhaḥ, previous connection, i. e. the mutual relations of advance and acceptance (of loans), even before, between the plaintiff and defendant on account of mutual confidence; agamah, title, e. g.—" he has established a reliable origin of title to the subject-matter in dispute by so much."—These only are the circumstances. By means of these circumstances the genuineness of a disputed writing may be This is the context¹. established.

When, however, a decision cannot be arrived at in the case of a disputed document, then the decision should be made by the help of witnesses, as says Kātyāyana²: "When (the genuineness of) a document is disputed the plaintiff should cite those (as witnesses) who appear therein."

This text applies to a case where it is possible to have witnesses. In the case, however, where it is not possible to have witnesses, the text of Hârīta applies, viz.—" Where a party says—'I did not execute this document, he (i. e. the other party) has forged it'—then keeping aside that document, the decision should be made by means of an ordeal."

^{1.} अन्य-the order or connection of words in a sentence.

^{2.} Verse, 283.

Viramitrodaya

The Author mentions the means of removing the doubt about the unreliability of a document.

Yâjñavalkya, Verse 92.

of a document regarding which a doubt has been raised as to whether it is genuine or not genuine, suddhih, 'genuineness', i.e. the certainty of its goodness is determined by noting a good resemblance between it and another writing which is (admittedly) written by the opponent with his own hand. By the use of the word âdi, 'and the like', it is indicated that with the handwriting of the writer of the document in which the witnesses have subscribed, on a comparison with another document, the appearance of a good resemblance with the writing of the document would establish the genuineness.

Yukti, 'presumption', i.e. a contrary inference from the statement i.e. 'At present there is no money, it will be paid by me in another month', and the like. Prapti, 'receipt', i.e. the receipt of interest stipulated in the document of loan; kriya, 'proof', in the form of statement of witnesses; chinham, 'mark', a special mark particularly characteristic of the writing by the opponent, e.g. śri, etc.; sambandhah, 'connection', such as in regard to the subject-matter of the dispute such as an ear-ring, &c., a finding about the relationship of a creditor, &c., &gamah, 'title', i.e. of the subject-matter of the suit, such as a purchase, &c., before that; by these causes also the genuineness may be established. (92).

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S'ûlapâņi.

Yâjñavalkaya, Verse 92.

Yuktipraptih, 'presumption by confrontation', in this form:—"In this time, at such a place, it appears probable for this man to have his property, and in the like"; Kriya, 'direct proof', i.e. the evidence of the witnesses; chinham, 'marks' i.e. special signs; sambandhah, 'connection', i.e. of the person offering and the one accepting; also by former writings &c. in his own hand a connection with the acceptance, a document about which a doubt has been raised, one may be examined.

By the use of the word âdi are included the hands of the witness, of the writer, and of himself. So says Kâtyâyana¹: "When there is doubt about the hand-writing of the debtor, whether be be living or dead, (by a comparison) with other documents written in his own hand, the decision about the documents (in question) should be reached". (92).

^{1.} Verse 286.

Thus when after the document is established as genuine, as also the liability to pay the debt (a question might arise as to), what should be done if a party is unable to pay the entire debt? So the Author says

Yâjñavalkya, Verse 93.

The debtor should write on the back of the bond each payment made by him after making such payment; or the creditor should endorse the amount received by him marked in his own hand.

Mitakshara:—When the debtor is unable to pay the entire debt, then he should pay according to his means, An endorse—and write the same on the back of the bond thus: ment on the deed. 'So much was paid by me;"—or the creditor should endorse i. e. write on the back of the document itself whatever amount was upagatam, received, i. e. got by him, thus,—"So much was received by me." How?—swahastaparichinhitam, marked in his own hand, i. e. marked by letters written in his own hand. Or, (it may mean this) viz. that the creditor should give to the debtor a note of acknowledgement of receipt marked by letters written in his own hand.

S'ûlapâni.

Yâjñavalkya, Verse 93.

When the debtor is unable to discharge the entire debt, as much amount as he pays, so much the debtor should cause to be endorsed on the back of the debt-bond. The creditor also should give a writing for the endorsement. As says Vishnul: "When the whole amount in entirety has not been paid, the credior should pass a writing in his own hand". (93).

What should be done with the document when the entire debt has been paid off? so the Author says

Yâjñavalkya, Verse 94. (1)

• After paying the debt, the document should be caused 30 to be torn, or another should be caused to be made for (evidencing) the acquittance.

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^{1.} Ch. VI. 26,

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Mitâksharâ:—Either by instalments or at once, in its entirety datwā, having paid, rnam a debt, lekhyam, the document, executed before, should be caused to be torn.

When, however, the document happens to be in an inaccessible place or is lost, then the debtor kârayet,

* Page 57. should cause, the creditor to pass to him another document sudhyai, as evidencing the acquittance.

i. e. discharging him from his obligations as debtor. The meaning is that the Creditor should pass a deed of discharge to the debtor in the order mentioned before.

What should be done when a debt incurred in the presence of witnesses is to be discharged entirely? so the Author says

Yâjñavalkya, Verse 94 (2)

And a debt which was incurred before the witnesses should be paid off in the presence of witnesses.

15 Mitākshará:—That debt, however, which was incurred before witnessess should be paid off only in the presence of those who had previously witnessed it.

Here ends the Chapter on Documents.

Viramitrodaya.

Just like the document of the loan, the document evidencing its discharge is also a good evidence; so intending, the Author says

Yâjñavalkya, Verses 93, 94.

Lekhyasya, 'of the document', i.e. of the paper, prshthe'on the reverse' side, as he goes on paying the amount in small instalments, so after each payment, rniko abhilikhet, 'the debtor should write.' After having paid the entire loan, however, the document of loan given by himself, patayet, 'should cause to be torn', i.e. should be cut into pieces.

When, however, the debt-bond is not at hand, sudhyai, for the acquittance, i.e. as evidencing the certainty about the cessation of his liability as a debtor, annyallekhyam, another document, reciting the fact of the discharge, karayet, should be caused to be made.

This is to be particularly noted: A debt which has been taken in the presence of witnesses, that should be paid off in the same manner. By the use of the word cha, it is indicated that in the absence of one's own handwriting, the mark of the handwriting of an honest man is to be admitted. By the use of the word tu, 'however', in a debt incurred without witnesses, the discharge in the presence of witnesses is excluded. By the use of the word cha is included a payment without witnesses of a loan incurred without witnesses. (93, 94).

Thus in the Commentary on S'rimat Yâjñavalkya, ends the Chapter on Documents.

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S'ûlapâni.

Yâjñavalkya, Verse 94.

When the whole amount in entirety has been paid off, the debt bond should be torn. If, however, the document is not available, by way of evidencing the acquittance, another document should be caused to be made. When a loan has been taken in the presence of a witness, it must also be paid in the presence of a witness. (94).

Here ends the chapter on Documents.

Chapter VII.

OF THE ORDEALS.

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Human evidence has been said to be three-fold viz. consisting of documents, witnesses, and possession.

It is now the turn of ordeals; and the Author wishing to expound ordeals as a means of evidence lays down the procedure in ordeals by the first five s'lokas commencing with "The balance, the fire &c." (Verse 95). There, presently, the Author mentions the ordeals

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Yâjñavalkya, Verse 95 (1).

The balance, the fire, the water, the poison and the kos'a, are the ordeals, (prescribed) here for exhoneration (from an accusation).

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Mitâkṣharâ:—The five ordeals *i. e.* those beginning with the balance and ending with the kośa should iha, here, i. e. in the Dharma-S'âstra, be offered for visuddhaye, exhoneration, i. e. for removing an ambiguity about a doubtful point. [95 (1)].

Elsewhere have been mentioned other ordeals, even such as the rice and like others, vide the text of Pitâmaha: "The balance, the fire, as also the water, the poison, and similarly the kos'a, likewise the rice; these are the ordeals; and the seventh is the heated Mâsha." Then why say these only? So the Author says

Yâjñavalkya, Verse 95 (3rd quarter).

These are (to be resorted to) in trials on serious accusations.

Mitakshara:—Etani mahabhiyogeshveva, these in trials for serious offences only. This restrictive rule which is here laid down means that these are to be resorted to only in cases of serious accusations, and not that these are the only ordeals. The Author will mention further on the test of seriousness.

An Objection—'Indeed, the kos'a also is prescribed even in ordinary suits'—Vide the text²—"The (ordeal of) kos'a should be caused to be offered even in small (charges)."

The Answer—True. The mention of (the ordeal of) kos'a among (those of) the balance and others is not indicative of its being limited to serious charges only, but it implies its extention even to Sâvashṭambha¹ complaints, otherwise it would be extended even to complaints on suspicion. Vide the text³: "In the case of those against whom a complaint has been made together with a wager, (the ordeals of) balance and the like should be ordered; while (the

^{1.} Of Pitamaha.

^{2.} A complaint wherein the complainant undertakes to pay a penalty in the case of his failure in establishing his allegations is called a Savashtambha Complaint—an Aavshtambha is explained as—स्वापि इण्डांगीकारोऽवर्धभः।

^{3.} Of Pitâmaha.

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ordeals of) the rice and the kos'a (should be) in complaints of suspicion only. There is no doubt about this."

It may thus be thought that this rule may be applied invariably in the case of serious complaints, complaints on suspicion, and complaints with a wager, so the Author mentions an exception

Yâjñavalkya, Verse 95. (last quarter.)

When a plaintiff has (agreed) to abide by the result (of the ordeal).

Mitâkṣharâ:—These i. e. the (ordeals of) balance and others become applicable to the plaintiff abhiyoktari s'irṣhakasthe, when the plaintiff has (agreed) to abide by the result (of the ordeal).

S'irṣhaka—is the head i. e. the fourth part of a suit indicative of the success or defeat—and by this is indicated the punishment.—He who agrees to abide by it is a S'îrs'hakasthaḥ. i. e. amenable to the punishment laid down in it (i. e. the decision).

Viramitrodaya.

It has been stated before: 'In the absence of any of these, the ordeal is said to be another'. There, the Author expounds the ordeals by an entire chapter

Yâjñavalkya, Verse 95.

Brhaspati³: "The (ordeal by) balance, fire, water also; poison, and kośa the sacred water the fifth; (of) rice has been declared as the sixth; and the seventh the heated masha coin; eighth has been stated to be the ploughshare; and Dharma, the ninth. All these ordeals 25 have been pointed out by the Self-born".

Of the nine ordeals thus enumerated, these five ordeals, i.e. the balance, &c., in serious charges only, such as gold-stealing and the like for the sirshakastha, one who has agreed to abide by the decision,

^{1.} अभियोक्ता-Lit. person making complaint.

^{2.} i. e. the restriction is as to their application, and not as to the kinds.

^{3.} Oh. X. 4-5.

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i.e. the complainant for viśuddhaye, 'for his exhoneration', for the removal of suspicion (against him) iha, 'here', i.e. in the Dharma Śastra have been prescribed. S'irṣhaka means the offer to bear the penalty upon the success of the matter of the ordeal.

If it be argued that having regard to the text: 'the kośa may be administered even in petty cases', even in charges of a small character, there is kośa; the answer is, true, it is so. But, under the text: "For those against whom an accusation has been brought (accompanied) with a wager, one should direct the (ordeal of) balance and the like; the rice also and also the kośa in cases of suspicion, no doubt", in accusation accompanied with a wager the kośa not being mentioned, this mention of the kośa 'for a plaintiff who has agreed to abide by the result' is by way of an exception. As for: "In cases where the plaintiff has not offered to abide by the result, the four ordeals viz., of the balance and others should be avoided; kośa has been stated to be where the plaintiff has not (so) agreed". In this text of Pitâmaha, kośa has been stated to be where there is no agreement by the plaintiff to abide by the result; that has a reference to an accusation based on suspicion. (95).

S'ûlapâni

In the absence of a document, or in the absence of a possibility of a decision about a document, is the ordeal. That the Author states

Yâjñyavalkya, Verse 95.

The balance and those other ordeals Mahabhiyogeshu, 'in charges for serious offences', such as gold-stealing &c., $Abhiyoktari \acute{sirshakasthe}$, 'when the complainant has to abide by the result', iha, in this \acute{sastra} , have been stated. $\acute{sirshaka}$, is the head. That, moreover, here in the case of the success of the opponent, has been agreed to by oneself.

In minor charges, however, as stated in other *Smrtis* the *rice* should be given. The oaths, moreover, should be caused to be taken in the form of the touching of the son's head or similar other acts. These **Brhaspati** mentions: "The balance, fire, water, poison, and fifthly the Kosa; the rice has been declared as the sixth; the seventh, a heated *Masha*, is declared. The ploughshare, the eighth, and the ordeal by Dharma as the ninth". (95),

By the text¹ "Next the plaintiff should immediately have written down the evidence by means of which the matter in dispute

(or alleged) is (proposed) to be established", the rule of evidence for an affirmative allegation only has been laid down. The Author says by way of an exception to it.

Yâjñavalkya, Verse 96 (1).

* Page 58.

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Or, by consent, any one may perform (the ordeal), and the other may submit to the judgment¹.

Mitâksharā:—Ruchyâ, by consent, i. e. by the mutual consent of the complainant and the defendant; anyataraḥ, any one, i. e. either the complainant or the defendant, kuryât, may perform, the ordeal, itaraḥ, the other, i. e. the defendant or the complainant (as the case may be), wartayet, should submit to, i. e. take upon himself the s'iraḥ, judgment, i. e. to the corporeal or pecuniary punishment (specified therein).

The meaning is this: Ordeal evidence cannot be confined to the affirmative proof alone, as is the case with human evidence, but it is established both by affirmative and negative proof. And hence in the plea of denial, or of confession and avoidance, or of res judicata, an ordeal is permissible according to the option either of the plaintiff or of the defendant.

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Viramitrodaya,

It has been stated that, "when there are witnesses for both sides, those for him who claims priority should be taken first." There the word 'witness' is merely indicative of evidence; an ordeal is intended for a particular (kind of) plaintiff, 'Never should any one order a complaint for an ordeal again' in this text has been stated by Manu also. The Author states an exception to it

Yâjñavalkya, Verse 96 (1).

Of the plaintiff and the defendant, of both, whosoever may have a desire for an ordeal; thus where there is their desire for a performance (of an ordeal) or for its non-performance there the rule 'when

^{1. (}शर:—Lit, means the head, the top. i. s. last or fourth part of a trial. i. s. that part which declares the success or defeat of parties and the punishment consequent upon it.

^{2.} Verse 17 above p. 696.

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there are witnesses for truth, &c.' should be read and is applicable as explanation. 96 (1).

It has been said above that the ordeal of kos'a is permissible in petty complaints, in a serious charge, as also in a charge founded on suspicion, or accompanied by a wager. While a restrictive rule has been laid down that the ordeals beginning with the balance and ending with (that of) the poison shall be (resorted to) only in serious charges and in complaints accompanied by a wager. There, the Author mentions an exception to the expression—"Only in complaints with a wager"

Yājñavalkya, Verse 96, (2).

In the case, however, of high treason, and also of sin (of an aggravated type), a party should (be allowed to) perform an ordeal even though the other party do not submit to the judgment.

Mitâkṣharā:—Râjadroha, in charges of high treason, or of pâtaka, sins, such as the Brâḥmicide and like others, one, kuryat, should perform, the ordeal of the balance etc. even if there be none who has offered to submit to the judgment; and also in charges of robbery, as has been said¹: "An ordeal should be allowed to those, who have fallen under suspicion of kings, as also those who have been pointed² out along with robbers, and who are anxious to get themselves exhonerated." The (ordeal of) rice, moreover, should be given in charges of petty thefts only, vide the text of Pitâmaha: "In the case of theft, however, the (ordeal of) rice should be offered, and in none other; this is certain." The (ordeal of the) heated mâṣha, however, (should be observed) only in a charge of robbery, vide the text: "The heated mâṣha is ordained in a charge of robbery". Other oaths,

^{1.} By Nårada and Pitâmaha.

^{2.} निर्देशनां च द्युपि:—This is a very ambiguous expression. It may be interpreted in many ways. One way of interpreting it is as translated above— ''pointed out along with or marked as robbers''—द्रमुखेन निर्देशनामित्यर्पः. Other ways are—'enumerated or cited or referred to along with or by robbers'. The one selected in the text would appear to be preferable.

^{3.} Of Pitamaha.

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moreover, refer to petty disputes over small amounts. Vide the text of Nârada¹: "(Let him be sworn by) the² truth, vehicle, and by his weapons, as also by his cows, grain, and gold; venerable deities or revered ancestors, by their pious gifts or meritorious deeds. He should (be made to) touch the head of his sons or wives, or even of his relatives. Or in all charges the drinking of the kos'a water also—These are the (kinds of) oaths prescribed by Manu in petty cases."

Although oaths also are regarded as an ordeal by reason of the fact that an ordeal is generally understood by The oath the people to be that which decides a point which cannot be determined upon by (means of) human evidence, still a distinction is indicated between these and the ordeals of the balance and others in that, (while) the one is resorted to by reason of the fact that while in the case of one³ a final decision is obtainable immediately without any interval of time, in case of the other a decision is obtained only after an interval of time, on the analogy of the rule in the 'Brâhmana and Parivrâjaka' maxim.⁴

^{1.} Oh. I. 248-250.

^{2.} Ways of swearing several orders have been given by Manu Ch. VIII. 113. see Supra. p. 860 ll. 10-20.

^{3.} This passage requires an explanation. Ordeals are of two kinds. (1) One in which the truth or falseho d of a claim is determined immediately on the spot without any interval of time, and (2) the other which requires some interval of time for a like determination. The ordeals of the balance, fire &c. are instances of the first, because if the man suffers injury in the performance of the ordeal, his defeat is determined then and there. The ordeal of an oath is an instance of the second, inasmuch as under the rules of this ordeal if any calamity befalls a party within a certain period after he takes an oath, he is presumed to have taken a fa'se oath. This necessarily requires an interval of time to elapse. Thus the two types are distinguishable on the ground of their capacity to induce a prompt or a deferred decision (समन-नर्गनिर्णयनिभित्तन्त्रन & कालांबर-निर्णयनिभित्तन्त्रन)

^{3.} This is called the সায়্যা-বাবিলাক-নাথ. In such a sentence as সায়ালানাননথ থালোককাল the separate and additional mention of থালোকক, who generally are included in the former term, merely emphasises their position as a special part of the general body. So here also, although the balance and oaths equally are both ordeals, still the latter have been specifically mentioned in order to bring out their capacity to induce a decision after an interval of time.

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The enumeration, however, of (the ordeal of) kos'a along with (those of) the balance and the rest is due to its

The Kośa applicability to serious charges and to complaints accompanied by a wager, and not to (any)

similarity with the ordeals of the balance and the rest, nor to its being helpful in enabling an immediate decision without any interval of time.

As for the (ordeals of) rice and the heated masha, although they are helpful in securing an immediate decision

Rice and Masha without any interval of time, still as they are prescribed in petty complaints and in complaints on suspicion they are distinguished from the (ordeals of) balance and the like and hence their non-enumeration along with those; and this is a satisfactory explanation.

These ordeals and the oaths also may be resorted to in disputes 15 regarding debts and the like, having regard to exigencies.

As for the text of Pitāmaha, viz. "In disputes regarding immovables, ordeals should by all means be avoided", that is to be understood as meaning that when evidence in the form of documents or (the testimony) of neighbours and the like is available, ordeals should by all means be avoided.

An objection.—Indeed ordeals are also inadmissible even in other suits when other (kind of) evidence is available.

Answer.—True. In suits for the recovery of debts and the like, (nevertheless) even after the plaintiff has exhibited his witnesses (duly) qualified as mentioned before, if the defendant resorts to an ordeal after giving an undertaking to suffer punishment (in case of failure) then an ordeal is also permissible. For it is likely that the witnesses may have corrupt motives, while an ordeal is free from all (such) faults, and the object of a law-suit is to find out the truth about the point in dispute, as indicated in its definition. As says Nârada2: "A decision based on an ordeal which is truth itself is a real decision according to Dharma, while a decision based on witness evidence is a merely legal decision. When a point can be

^{1.} Verses 68, 69, p. 846.

^{2.} Intro. Verse 11-The second half of the verse is different.

established by divine evidence, human or documentary evidence should not be used." The rule viz. "in disputes regarding immovables, when direct evidence such as the evidence of neighbours or the like is available, an ordeal should not be allowed even if the defendant resorts to it after giving an undertaking to suffer punishment (in case of failure)"—has been stated to remove the idea of an alternative course. The text of Pitâmaha, viz.: "in disputes about immovables &c." is not intended to exclude ordeals absolutely as otherwise there would be the possibility of a non-decision when documentary evidence, testimony of neighbours, or similar evidence is not available.

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Viramitrodaya.

'When the plaintiff has (agreed) to abide by the result,' thus it has been stated; the Author states an exception to it

Yâjñavalkya, Verse 96 (2).

When there is an accusation of a suspected treason against the king, or a heinous sin such as Brahmicide is suspected, ordeals may be performed without an offer of an agreement to abide by the result. By the word atha, 'and also', are included theft and the like offences.

That has been stated in the Kālikā Purāṇa: "In charges for adultery with other men's wives, as also for theft, and forbidden intercourse, and for great sins, shall an ordeal be ordered by the king. When there is a mutual conflict, and a wager is laid in a trial, there only the king should administer an ordeal preceded by an agreement to abide by the result. In an accusation for adultery with others' wives, where the complainants happen to be many, an ordeal shall be ordered without an agreement as it is for self exculpation." Vishnu2: "In charges for treason against the king, and also in assaults, the proceedings are commenced without an agreement to abide by the result." Pitâmaha: "For those who have fallen under the suspicion of kings, as also those who have been pointed out along with robbers, and also those who are anxious to have their innocence established, the ordeal should be offered with an agreement to abide by the result." Nârada²: "Even without an agreement to abide by the result." Nârada²: "Even

^{1.} The meaning is that the alternative of an ordeal as an optional course is not allowed in disputes regarding immovables. The optional application has been restricted to specific cases. For apple &c. See note 4. on pp. 708-709 above.

^{2.} Ch. IX. 22.

^{3.} Ch. I. 270.

ordeals to his dependents." Also: "An ordeal is proper only when the complainant offers to abide by the result of the test, excepting when ordered by the king." 96 (2).

S'ûlapâni.

Yajnavalkya, Verse 96.

The person complained against, or the complainant may at their option (any one may) perform the ordeal. The other should offer to abide by the result. In cases of treason against the king, and in grave sins and the like (charges), however, even without any offer, the ordeal should be performed. Ay says Vishnu³: "In charges of treason against the king, and of Sâhasas even without an agreement to abide by the result". Pitâmaha: "In cases where persons have fallen under the suspicion of kings, and also those who have been pointed at along with robbers, and those who are anxious to get themselves exhonerated, an ordeal may be administered without any offer (from the other side)". (96).

General Rules of procedure as to Ordeals.

Yâjñavalkya, Verse 97.

Having summoned one who has clothes on, who has bathed, and has observed a fast, (the Chief Judge) should at sunrise cause him to undergo (any of) all the ordeals in the presence of the King and of the Brâḥmaṇas.

Mitâkṣharâ:—Moreover, Prâdvivâkaḥ, the Chief Judge àhūya, having summoned, at sunrise one, who on the previous day upoṣhitam, has observed a fast i.e. on the previous day, sachailam snâtam, and who, has bathed with clothes on in the presence of the king, as also of the Brâhmaṇas and Councillors, kârayet, should cause him to undergo, (any of) all the ordeals sarvâṇi divyâni.

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^{1.} Narada Ch. I. 269.

^{2.} नृपशासनात् is the reading in Viramitrodaya. The printed text of Narada has नृपहिंसनात् 'excepting in cases of high treason'.—'यहा पुनर्पपुहे काचिद्धिंस। इता भवति' असहायः

^{3.} Oh. IX. 22.

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"To one who has fasted for three nights, or to one who has fasted for one night only, and who has purified himself and has wet clothes on, ordeals should always he administered". This optional rule as to fasting as laid down by Pitâmaha is to be actually interpreted by regard to the strength or weakness of the party, as also to the importance or triviality of the charges under consideration. The rule as to fasting, moreover, is applicable also to the Chief Judge who causes the ordeal to be undergone: "In the case of ordeals, (also) the Chief Judge who has fasted should by the King's permission himself observe all the necessary forms." Vide this text of Pitâmaha.

Here also although the expression used is "at sunrise" without any particularisation, still having regard to the practice among the wise and the respectable, the ordeals should be administered on a Sunday. And even there, the special rule laid down by Pitâmaha, should be observed viz.: "In the first part of the day, shall be the test by fire; during the first part also shall be the balance; in the midday, however, the (ordeal of) water should be administered by one who desires to allow the principles of Dharma. In the first part of the day is proof by (the ordeal of) kos ha ordained; while in the latter part of the night which is quite cool, (the ordeal of) poison may be offered."

As for the ordeals of the rice, the heated masha, and the like for which no special period has been prescribed, the administration should be also in the first half (of the day), vide the text of Narada² which is quite general viz:—" In the forenoon, in regard to all the ordeals, has the administration been proclaimed."

Dividing a day in three parts, the first part is called the $Purv\bar{a}nha^3$, the middle the $M\bar{a}dhy\bar{a}nha$, and the last the $Apar\bar{a}nha$.

Moreover, another rule as regards the particular time has been 'indicated by texts which are in the nature of affirmative and negative injunctions. Of these, those indicated by affirmative injunctions

^{1.} Also Nārada. See Aparārka p. 697.

^{2.} Ch. I. 269.

^{3.} Translated either as First part or "forenoon."

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are as follows:—" For (the ordeal by) fire the cold seasons of S'is'ira and Hemanta, also the autum season of Warsha have been prescribed; in the S'arat and Grishma seasons the (ordeal by) water is (administered), and in the seasons of Hemanta and Sis'ira the (ordeal of) poison. The month of Chaitra, and of Margasirshha. as also of Vaiṣākha are months generally for all the ordeals as they are not unfavourable to these. The (ordeal of) kos'a, however may be administered always, and the balance at any time." The mention of kos'a is indicative by implication of all the oaths. Moreover the (ordeal of) rice may be administered at all times, since no special rule is mentioned (for it).

That indicated by negative inujections is as follows—"In the cold season, 'there cannot be a purification by (the ordeal of) water. nor can there be in the hot season a purification by fire. Not in the rainy season should (the ordeal of) poison be administered, nor also in the midst of a heavy gale the (ordeal of) balance; nor in the afternoon, nor in the twilight time, nor ever at mid-day".

By the use of the word cold (S'ita) in the text "there cannot be a purification by water in the season" the seasons of Hemanta. S'is'ira, and Warsha are also included by implication. And in the text: "nor can there be a purification by fire in the hot season," the repetition of the prohibition in the case of the Grishma and the S'arada seasons which was already established by the affirmative injunction, is indicative of a special injunction (आदरार्थम्). circumstances justifying (an ordeal) however will be mentioned 25 further on-

Viramitrodaya

The Author states the procedure generally for ordeals

Yâjñavalkya, Verse 97.

At the sunrise the Chief Judge should summon the performer of 30 the ordeal who has bathed with clothes on and make him performall? the ordeals in the presence of the Brahmanas, vide Pitamaha: "To one

^{1. * -}A season, or periods of the year commonly reckoned to be aix. as : " शिशिरश्च वसंतश्च श्रीदेमा वर्षा: शरद्धिमः" viz. Sisira, Vasanta, Grishma, Varsha, Sarat and Hemanta

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who has observed a fast for three nights, or to one who has fasted for one night, should always be administered the ordeals, to one who has cleansed himself and has a wet cloth on." The option as to a three-nights' or one night's fast is to be determined by regard to the capacity (of the performer), and by a discrimination between a serious charge and a petty complaint.

Also "In regard to the ordeals, all acts the Chief Judge should perform like the Chief priest in a sacrifice, with the observance of a fast and under the order of the king." This fast of the Chief Judge, however, is in the case of the worship of the subordinate dieties in the ordeal.

although it has been stated—'at the sunrise' in general terms, still from the usage of the respectable, Sunday is particularly meant. Vide! Narada: "In the fore-noon only has been declared the administration of an ordeal". Pitamaha: "In the fore-noon shall be the test by fire; and in the forenoon also shall be the balance; in the mid-day, however, should water be administered by one who desires to follow the principles of Tharma. In the first part of the day, the purification by kos'a has been ordained; while at night in the latter period should be administered poison, when it is quite cool". Similarly, "The month of Chaitra and also Margas'irsha, and similarly also Vais'akha, these are the months generally for all ordeals, as they are not unfavourable. The Balance has been stated to be for all seasons: it should be avoided when a violent wind is blowing. The (ordeal by) fire has been declared to be during S'isira, Hemanta, and Varsha; during the S'arad and the Grishma, the (ordeal by) water, and in the Hemanta and the S'is'ira, the poison". Nârada2: "During the cold season, there cannot be the purification by water; nor can in the hot season there be the purification by fire; not during the rainy season should poison be administered; nor, O king, during a violent storm, the balance". Here, in the word cold, are included the Hemanta, S'is'ira and the Varsha. By the word hot, are included the S'arad and the Grîshma.

In the Astrology: "When Jupiter is in Leo or in Capricorn, as also when Venus is in obscurity, and in the intercalary month, the test should not be performed by one desirous of success. In a clean Sun, as also of the Jupiter. Nor when Venus has become invisible; also when the Sun is in the Leo, a test is not ordained by the wise. Not on the eighth, nor on the fourteenth, shall there be a test by

^{2,} Ch. I. 259.

expiation. The test as also the inauguration shall be on a Saturday or a Monday".

Here, briefly the general procedure for ordeals is being written thus: -In the bright half, on an auspicious day, after having finished his daily performances, and with the observation of a fast, the performer after having got first the benediction repeated by the Brahmanas, should select and appoint the Chief-Judge just as the chief Priest. The Chief Judge also after he is chosen and appointed, after the manner of the ritual of the consecration and donation of a tank, having performed the 10 inauguration sacrifice, with the observance of a fast, on the day following, after having observed the daily performences, on a Sunday, should repeat thus: "Come, O divine Dharma come; enter this ordeal, along with the Guardians of the world and the groups of the Vasus, Adityas and the Marutas. There with a wet cloth on, the performer of the ordeal should perform the ordeal as ordained. Here the fast for three nights is for a performer of the ordeal who is capable. This is the distinction. (97).

S'ûlapâni.

Yâjñavalkya, Verse 97.

20 'At sunrise', i.e. in the fore part of the day. Narada: "To a man who has observed a fast for a day and night, who has bathed and has a wet cloth on, in the fore part of the day has the administration of all ordeals been declared". By this, the expression "who has bathed with clothes on" has a reference to wet clothes.

25 By some even this verse is not repeated. But Vis'varûpa has included it in the text (97)

The author mentions special rules in the case of (several) persons liable (to an ordeal).

Yâjñavalkya, Verse 98.

30 The (ordeal by) balance is (prescribed) for a woman, a child, an old man, a blind man, a cripple, a Brâhmana, and one diseased; (an ordeal by) fire or water (is for Kshatriyas or Vaisyas respectively); for a S'ûdra (the ordeal by) poison weighing seven barley-corns only.

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Mitâkṣhârâ:—stri, Women, i. e. all women without regard to any particular caste, age, or position; bâla, a child, until he attains the sixteenth year, without regard to the particular caste; vṛddhaḥ, an old man, i. e. one who is above eighty; andhaḥ, blind man, i. e. one deprived of the eyesight, panguḥ, a cripple, i. e. deprived of the use of the feet; brâhmaṇa, A Brâḥmaṇa, i. e., the whole caste (Brâḥmaṇa); rogī, diseased, i. e., one affected by a disease. The restrictive rule laid down is that for the purification of these, the (ordeal of) balance alone is allowed.

Agniḥ, the (ordeal by) fire, as also (that of) the plough 10 (Phâla), and the heated mâṣha¹ is for a Kṣhatriya; jalam, water, alone is for a Vais'ya. The word wa, or, has a restrictive sense. Viṣhasya yawâḥ, the barley-corns of poison, saptaiva, i. e. seven only are (ordained) S'ûdrasya, for (the purification of) a S'udra.

By ordaining the (ordeal of) balance for a Brāhmaṇa, and the (ordeal of) poison weighing seven barley-corns only for a S'udra, the (ordeals of) fire or water come to be ordained for the Kṣhatriya and the Vais'ya. This very thing has been made clear by Pitāmaha: "For a Brāḥmaṇa the (ordeal of) balance should be offered, the (ordeal by) fire for a Kṣhatriya, for a Vais'ya the water (ordeal) has been ordained, and (the ordeal of) poison should be administered to a S'udra."

As to what has been said that there should be no ordeal in the case of women &c. viz: "An ordeal should * Page 60. never be administered to persons engaged in performing a vow, to those afflicted with a heavy calamity, to the diseased, to the ascetics, or to women, if the rules of Dharma are to be attended to "—that is for removing the rule of option laid down in the text3—"or, with consent, the other may perform the ordeal."

^{1,} पाद:—is a particular weight-measure of gold; it is either the 1\20th part of a Pana. ' माषो विंज्ञतिनमें भागो पणस्य परिकीर्तिनः"—or is the eightfold of a Gunja ग्रेजाभिरष्टभिष्यः—known in the Indian gold market as a mâsā (मासा).

^{2.} By Nârada I. 256.

^{3.} Of Yajñavalkya II, 96 see p. 913 l. 6-7 above.

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The purport is this: In complaints regarding obstruction, when women are the complainants, the ordeal is allowed only for the persons complained against; and even when these are the defendants, the ordeal shall be for the complainants only. In cross-complaints, however, an option only is allowed; and by this text even there, a restrictive rule has been imposed as to the balance only. Moreover, in complaints on suspicion about heinous sins, the (ordeal of) balance alone is prescribed for the women and others.

Thus this text has a purpose, in that it lays down a restrictive rule as to ordeals in the case of women and others when all ordeals are possible in the months of Margas'irah, Chaitra, and Vais'akha which are common to all ordeals.

Nor, moreover, should it be supposed that, (the ordeal of) the balance alone is prescribed for women at all times, since a rule has been laid down for their purification by the (ordeals of) balance, kos'a, and fire, omitting (those of) the poison and water in the text²: "And the (ordeal by) poison has not been ordained for women, nor has the (ordeal of) water been laid down; the real truth at the bottom should be sought for from them by means of the (ordeals of) balance and kos'a"; similarly the rule should be applied in the case of a child and others.

Similarly, even in the case of the Brâhmanas and others also, the rule as to the (ordeal of) balance &c. does not always apply, vide the text of Pitâmaha viz: "Purification by (the ordeal of) kos'a is ordained for all members of all castes; all these ordeals hold in the case of all with the exception of (the ordeal of) poison in the case of a Brâhmana. Therefore when at the common periods the ordeals are equally possible this text is intended to restrict it to that of the balance only. During other periods, however, the ordeals prescribed at the respective times are (allowable) for all. Thus: "In the rainy season fire alone is (prescribed) for all. In the seasons of Hemanta and S'is'ira there is an option in the case of the three castes, viz. of the Kshatriya and others for the (the ordeals of) fire and poison. For a Brâhmana, however, the (ordeal of) fire alone, and never (that of)

^{1.} i. e. the women etc.

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poison, is allowed; vide the prohibition (contained) in the text1: " with the exception of (the ordeal of) poison in the case of Brahmana." During the seasons of Grishma and S'arada (the ordeal of) water alone (is allowed). Of those, however, for whom (the ordeals of) fire &c. are prohibited having regard to the special maladies from which they might be suffering, e. g. in the text.—" The (ordeal of) fire should be avoided in the case of the lepers, and (that of) the water in the case of persons suffering fom cough and heavy breathing; and the (ordeal of) poison should always be avoided in the case of persons suffering from billious or phlegmatic complaints"—in the case of such persons, even in the periods (specially) mentioned for (the ordeals of) fire &c. the common ordeals of the balance &c. alone are allowed. Similarly, having regard to the text-" (The ordeals of) water, fire and also (of) poison should be administered to strong men"-even in the case of weak men, having regard to the prohibitive rule in general, such ordeals should be administered as are conformable to the (special) caste, age, and surrounding circumstances, and as do not offend against the rules as to seasons and time.

Viramitrodaya.

In regard to the ordeals the Author mentions rules for the 20 performer

Yâjñavalkya, Verse 98.

For one who is below the age of sixteen, for the aged, for the blind, for a cripple, for a Bráhmana, and also for one suffering from a disease, Balance is the ordeal. For a S'adra, however, the Fire, Water, or of the Poison, (in which) portions measuring seven yavas may be given.

Nârada²: "For a Brāḥmaṇa the Balance should be given, for a Kṣhatriya, the Fire, the consumer of oblations; for a Vais'ya should be given Water, and for a S'adra Poison only. Generally for all, the kośa has been declared by the thoughtful, excepting the poison in the case of a Braḥmaṇa; for all, however, the Balance has been stated".

Kâtyâyana³: "For a member of the kingly order the Fire, the Balance for the Vipra, and for the Vais'ya the Water should be administered; or for all, all the ordeals, excepting the poison in the case of the

^{1.} Of Pitâmaha, See above.

² Ch. I. 334, 335.

^{3.} Verses, 422-423.

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foremost of the twice-born. The twice-born who follow the occupation of tending the cattle, the trades, also of artisans and dancers, as also of messengers and usurers, should be given like as to a S'adra". Similarly !: "Not for the iron-smiths, the Fire, nor Water for the water-drinkers: also for those experts in the operation of incantation should Poison be ever administered. An ordeal should always be avoided for men suffering from diseases; with the rice should be tested one engaged in a vow, or one suffering from a disease of the mouth". 'Engaged in a vow', i. e. a vow of consuming the rice.

Narada,: "The eunuchs, persons devoid of virility, men 10 oppressed with grief, as also minors, aged persons and the diseased. one should always test in the Balance. Not for those suffering from a disease shall the purification be by Water, nor shall the Poison be for those suffering from billiousness; for the lepers, the blind, and these with distorted nails, the performance of the (ordeal by) fire is not 15 ordained (255). Nor should be immersed the women and the infants by those well-versed in the science of religion; as also those who are diseased. or aged, also those men who are weak (313). Persons devoid of energy, those afflicted by a disease, nor those who are suffering should one immerse in water; immediately they are immersed they might die, these men with a tender vitality (314). Even if these happen to be involved in a charge for a heinous offence, one should never immerse them in water; nor also should they be made to carry fire, nor should they be tested by poison (315)".

Pitâmaha: "To the drunkard, the voluptuous, as also to the rogues, the kośa should not be offered by wise men; as also to those who are unbelievers by nature". Kâtyâyana3: "Upon a conflict with the usage of the country and the time, one should administer as may be proper relatively; an ordeal may be got performed by another; this is the rule on a conflict". 'On a conflict' i. e. when the accused is incompetent. Narada: "For those who have entered upon a vow; those who are extemely troubled, those suffering from a disease, as also for those who are engaged in austerities, and for women, there cannot be an ordeal, if the rules of law are to be observed". Kâtyâyana': 35 "For those who are tainted with great sins, and especially for the

^{1.} Kâtyâyana, Verse, 424.

Ch. I. 255, 313, 314, 315.

Verse, 436.

^{4.} i. e. by one nominated by the accused, when he is not himself able to do the ordeal, but is anxious for an exhoneration.

^{5.} Verses, 431, 432.

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unbelievers, for these an ordeal must not be given, and to one who is habitually addicted to sins; so says Bhrgu (431). In the case of those sinful persons for whom ordeals are prohibited, these should with effort be tested through good men; the king should not pronounce defeat upon one against whom an accusation has been laid (432). (98).

S'ûlapâni.

By regard to particular class &c., the Author states particular ordeals

Yâjñavalkya, Verse 98.

For a Śūdra, a special rule has been mentioned by Nārada: "For a Brāḥmaṇa should be given the Balance; for a Kshatriya Fire (the consumer of oblations); for a Vais'ya should be given Water; and for a Śūdra, however, Poison only. Generally for all, the Kośa has been declared by the wise; excepting the Poison for a Brāḥmaṇa, or for all has been stated the Balance".

As to the text "for women, however, no ordeal can there be", by which an ordeal has been forbidden for women, that, however, has no reference to any other.—"For those involved in great sins, and in particular for the unbelievers, never should a king intent on the rules of Dharma administer an ordeal. For good people appointed by these very men an ordeal may be proper". (98).

It has been said² (above) that "these ordeals are ordained in the case of serious charges." The Author now mentions that which makes for seriousness in a complaint

Yâjñavalkya, Verse 99 (1).

Never until (the subject matter of the dispute is below) a thousand should (the ordeal of) the plough, nor the (ordeal of) poison, nor also of the balance (be allowed).

Mitakshara:—While the subject-matter of the suit is less than a thousand *Paṇas*, the ordeals of the plough, the poison, or of the balance should not be caused to be made, and even the common ordeal of water also, as has been said³: "The ordeals beginning with

^{1.} The reading here is नाभिशस्तं जयेन्त्रपः. Elsewhere the reading is नाभिशस्तं त्यजेन्यनः See Kane Verse 432.

^{2.} Verse 95-p. 910.

^{3.} By Pitâmaha.

the balance and ending with that of the poison should be administered in heavy cases." Here the non-mention of the (ordeal of) kos'a is accountable by its mention even in connection with petty complaints, in the text: "The (ordeal of) kos'a may be offered even in a petty case." The meaning is that these four ordeals are allowed only in cases for the amount of a thousand Panas or above, and not below.

An objection:—Indeed the ordeals of fire &c have been specified by Pitāmaha even for (suits for) less, viz.: "In the case of a thousand, the (ordeal of) balance should be offered, so the iron² (ordeal) should be given for the half of a thousand; for the half of a half, however, the (ordeal of) water, and for the half of that, the (ordeal of) poison has been prescribed."

The Answer: -True. In such a case (however) the rule is to be thus interpreted and applied: The text of Pitâmaha is (to be accepted as) applicable to such properties by the deprivation of which 15 there occurs a degradation, while the text of the Lord of the Yogis³ is to be taken as referring to other (kinds of) property. moreover, both these texts apply to cases of thefts and violent crimes. In the case of concealment, however, a special rule has been pointed out by Kâtyâyana4 thus:-- "In cases where there is a denial of 20 payment, in such a case the quantity or amount (of the property) should be determined. In cases of theft and assault an ordeal should be administered even if the subject-matter be a trifle. Having ascertained the quantity of the property of whichsoever kind it may be, its equivalent in gold should be determined, and then with a gold 25measure the ordeal should be administered. Having (thus) ascertained the amount (equivalent) in gold coins, for the loss of a hundred, (the ordeal of) poison has been ordained; for the loss of eighty, however, (the ordeal of) fire certainly should be offered. In the case of a loss of sixty, the (ordeal of) water should be given; while for 30 forty the (ordeal of) balance. For a loss of twenty or ten, however, (the ordeal of) drinking of kos'a is ordained. The (ordeal of) rice is ordained for a loss of five and more or the half of its half. For its half or the half of this half, however, the heads of sons or the wife

^{1.} Of Pitamaha.

^{2.} i.e. the fire.

^{3.} i. e. Yajñavalkya.

^{4.} Verses 416-421....

should be touched. For the loss of a half of this or of its half again, however, the means of proof resorted to in this world have been ordained. A king thus discriminating does not fail in his religious or secular duties (Dharma and Artha)."

* Page 61.

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In the passage² "Having ascertained the amount in gold coins," the term gold (coins) is indicative of the measure already mentioned above³ viz. "Sixteen Mashas make a gold coin." the word "loss" here is indicative of a "concealment." In the text4 "Never until the subject matter is below a thousand should the plough be allowed &c." the thousand of a copper pana should be understood.

It may be said—Indeed these ordeals have been mentioned in cases of sedition and other crimes, then what of the text "never until the subject-matter is below a thousand should the plough be 15 allowed"? Anticipating this, the Author says

Yâiñavalkya, Verse 99 (2).

But in the cases of offences affecting the king, and in serious charges, the parties should always undergo an ordeal after having purified themselves.

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Mitakshara:—In cases of sedition, as also in accusations of heinous crimes, always, without regard to the quantity or amount, (the parties) should perform ordeals after having purified themselves by fasting &c.

Similarly a special (rule as to) the place has also been 25 mentioned by Narada5: "Before the gates of the Court or of the Royal palace, or in sight of a temple, or in a cross-road, must be placed, firmly into the earth, after having been covered with perfumes, garlands and unguents." 'Must be placed' i. e. the

^{1.} लोकिक्यः क्रियाः as opposed to देविक्यः. Worldly or human.

^{3.} Âchâra Adhyâya Verse 363 p. 623 l. 3. 2. p. 928 11. 23-25.

^{4.} Of Yâjnavalkya 99 (1). p. 927. 5. Oh. I. 265, 266_

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balance. The details have been mentioned by Kâtyâyana¹: "The trial of men accused of heinous crimes should be caused (by an ordeal) before the seat of the God Indra. Of those who are accused of having attempted sedition, the trial should be ordered to be held before the gate of the royal palace. For those born of a connection between a woman of a higher and a man of a lower class, the ordeal should be administered at a place where the roads cross. In the case of others than these, the ordeal should be offered in the court house. This is what the wise think. Of the untouchables, or persons belonging to the basest class, of the slaves, of the mlechchhas, of persons guilty of heinous crimes, and of persons born of a Pratiloma² connection the trial shall never be before the king. In case of doubts, the ordeals known as ordained in each case should respectively be administered."

Here end the Rules of Procedure about the Ordeals.

Viramitrodaya.

By regard to the amount of money in particular cases, the Author states particular ordeals

Yâjñavalkya, Verse 99.

In a dispute for a debt &c. for less than a thousand panas, not the plough, nor the poison, nor either the balance should one administer.

Napartheshu, 'in cases of offences against the king' i. e. in charges of treason against the king; s'uchayah, 'after having purified themselves' i. e. when they have cleansed themselves by bathing, &c., an ordeal like the plough, &c., waheyuh, 'they should undergo'.

By the use of the word $tath\hat{a}$, 'also', is added that water should not be administered. By the word cha, 'and', are included the sahasas. So also Vishnu³: "Now about the performance (of ordeals). In cases of treason against the king, and in sahasas, according to the option. In cases of deposits, and thefts, the amount (involved) is the measure."

عني المنظمين والهناء الإنتائج بالأراث أن الأخالف

^{1.} Verse, 434.

^{2.} A Pratiloma connection is a union between a man of a lower, with a woman of a higher class, its converse is called the Anuloma; see Yajn. Achara IV 90-96. pp. 241-261. above.

^{3.} Oh. IX. 1-3.

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Samayah, 'covenant', i.e. the ordeal, 'according to the option', i.e. in pursuance of the king's wish.

Kâtyâyana!: "Where a gift is denied falsely, there the amount? (involved) should be determined. In the case of theft and the sthasas, an ordeal should be given even for small amounts." Even for small &c., the meaning is that in those petty cases of debts, &c., where an ordeal does not exist, even for those amounts in cases of a theft and sahasa, an ordeal is prescribed.

Bṛhaspati³: "The (ordeal by) Poison, when a thousand have been stolen; when a quarter less, the fire, (ordeal); when less by a third, the (ordeal by) water, and when a half is stolen, the balance should always be given. When however the accusation is for a four hundred, the heated masha should be given; for a three hundred, the rice should be given, and the hośa for a half of it. When a hundred has been stolen or falsely denied, the trial should be by the (ordeal of) Dharma. For a cow-thief should be given by the councillors the purification by (the ordeal of) plough. These figures are in the case of persons of lowest degree; for (persons of) the middling (kind) has been stated to be the double; and four times for the highest should be determined and administered by the Judges."

Vishnui: "In all money-transactions gold shall be regarded as the standard of value (4)....." Similarly, if it be less by a half of gold (Krishnala), the kośa should be offered to a Sudra. For more than that, the Balance, Fire, Water or Poison, according to the value. In one of double value the ordeal of oath as described before for a Vaiśya; for treble value for one of the kingly tribe, and for the quadruple value for a Brahmana. Not for a Brahmana should the kośa be offered, excepting for creating confidence as part of an agreement to be performed in future (16). In the place of a kośa a Brahmana may be made to take an oath only with (a clod of) earth dug up by a plough (17). In the case of a person with a previous conviction, even in a matter of a small value, one of the ordeals alone should be administered (18). For one whose good character is well known among good men, not even in cases of large values. (19)." Excepting, &c.'—Where an agreement has been made viz.: "We all jointly shall do this", excepting

^{1.} Verse 416.

^{2.} Meaning thereby that the question whether an ordeal should be given and if so which variety, would be determined after ascertaining the amount involved.

3. Ch. X. 9-12.

^{4.} Ch. IX. 4; 10-19;

^{5.} in Sutra 16 above.

that. There, however, even for Brâhmana, the kos'a may be given. Plough î. e. the furrow of an anchor.

Katyayana: "After knowing the extent of all things, gold should be fixed as the standard; and the ordeal should be presented according to the gold standard. For a loss which leaves a residue less 5 by a quarter, the Poison and the Fire is observed there; the Water. where the loss is less by a third part; for half of a hundred, the Balance has been stated; the drinking of the Kos'a water, for its half, or for tenth, fifth, a seventh, or for half of that, the rice, and for half of that the heated masha." 'Of a hundred of goldless than by a quarter'. i. e.. 10 seventy-five gold coins; 'less by a third part', i. e. a third part of a hundred gold; 'its half' i.e. half of a hundred, 'for tenth, fifth, seventh, i. e. for a tenth part of a hundred, fifth part, or a seventh part, - the drinking of the Kos'a water. This is the meaning. Here, moreover, the small proportion is in regard to the lower classes. 15 Vrdha Manu: "Having ascertained the quantity in gold, for the loss of a hundred, the Poison has been stated; for the loss of eighty. however, should be given the Fire; when the loss is of sixty (gold), Water should be administered; for a forty, shall be the Balance. For the loss of thirty or of ten, Brhaspati prescribes the drinking of the 20 Kos'a; for the loss of five, or a half or of its half, the Rice". 'Thirty &c.' i. e. for the loss of thirty or for the loss of ten. 'Five' &c. of the half a five or of its half or for the loss of one, the drinking of the Kośa water. This is the meaning.

25 These texts are in reference to debts &c. as also in regard to things given away. The text of the Author, however, is in reference to one who commits theft. Thus there is no contradiction, so they say.

Here end the Rules of Procedure for Ordeals.

S'ûlapâṇi.

Yajnavalkya, Verse 99.

In an accusation for a thousand only shall be an ordeal by fire &c. Nrpartheshu, 'in regard to king', i. e. in charges of treason against the king &c., and also in accusations for heinous sins, after being purified by a bath &c., they should carry fire. Brhaspati²: "Poison, when a thousand has been stolen; for a quarter less, the fire; when less by a third, the water; and for a half, the balance, should always be given. When the

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^{1.} Verse 417.

accusation is for a four hundred, should be given the heated másha; for a three hundred, the rice should be given, and the kośa for a half of it; when a hundred is stolen or also falsely denied, the purification by Dharma should be administered. For a cow-thief should be given by the councillors the (ordeal of) plough by all efforts. These figures are for the lowest; for the middling, the double has been stated; and four times for the best should be fixed by the judges". 'For the lowest' i. e. by caste, occupation and qualification. (99).

Thus ends the Chapter on the Procedure for Ordeals.

Having thus stated the rules of procedure applicable to 10 all kinds of ordeals, the Author now mentions the process of administering the ordeals of the balance and others

Yâjñavalkya, Verses 100, 101, 102.

When men versed in holding a balance have seated a party therein, weighed him against an equal weight, 15 marked a line, and caused him to descend, (100)

"O balance, thou art the abode of truth and wert created by the gods in the olden times, therefore, O auspicious one, speak the truth, free me from suspicion. (101).

O, mother, if it be that I am the sinner then carry 20 me down. If I am pure, carry me upwards". Thus should he invoke the balance, (102).

Mitâksharâ:—Those who know the holding, dhāraṇam,
i. e. the weighing of a balance, i. e the gold-

The administration of the means of another measure, e.g. clay &c. samibalance and other
bhūtah, having been weighed against an equal
ordeals.

weight i. e. having been made equal (in weight),
and, tulâmas'ritah, having been seated in the

balance, i. e. seated into it, the party, i.e. either the defendant or the 30 complainant, rekhâm kṛtwâ, having drawn the line, determining the ordeal, i.e. having, by means of a white chalk, drawn a mark round that side of the balance wherein he was seated in the position of an equilibrium, and, avatāritah, having been made to descend,

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tulâmabhimantrayet, he should invoke the balance, i. e. offer a prayer to the balance by the following mantra, viz.—"O balance, thou art the seat of truth, (and) purā, in olden times, thou wert, devaih, by the gods, i. e. by the Hiranyagarbha, and others, vinirmitah, created, i. e. manufactured. Tat, therefore, i. e. for that reason, wada, speak, i. e. point out, satyam, the truth, i. e. the real nature of the matter in dispute. Oh, kalyâni, auspicious, i. e. good one, sans'ayânmâm vimochaya, free me from this suspicion. Mâtar yadyaham pâpakṛt, Oh mother if it be that I am the sinner, i.e. am telling an untruth, tato mâm twam adho naya, then you should carry me down. If, however, s'uddhaḥ, I am pure, i. e. am telling the truth, mâm urdhvam gamaya, then carry me upwards."

The form of prayer for the Chief Judge for addressing the balance has been laid down in other *Smrtis*. The present *mantra*, however, is for him who performs the ordeal. The test of a success or a defeat is, moreover, obtainable as being indicated by the *mantra* itself, and so has not been mentioned separately.

The construction of the balance, however, having for its object the seating of the party (with it), has been lucidly described by Pitâmaha, Nârada and others thus:—

"The wise should construct a balance after saluting the guardian deities of the quarters, and after cutting down with the incantation of the hymns a sacred tree from which a sacrificial post is obtained. The hymn to be repeated softly at the time of cutting the tree is the one addressed to the God Soma¹. A quadrangular balance should be made which should also be strong and straight. Rings should be fastened at three places and with a purpose. The balance should be four Hastas in length, and the two posts also should be of equal measure. The space intervening between the two, however, should be two Hastas or half a hasta more; and

* Page 62. the two (remaining) Hastas of both the posts should be dug into the earth. Moreover, two arches should be created in the rear of both the posts, and (these) should always be higher by ten Angulas than the balance. Then,

^{1.} Thus : सोमो धेर्नु गौतमः सोमि अष्टुण् जपे विनियोग : । " सोमो धेर्नु".

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two suspenders of clay, should be prepared, hanging downwards from the arches suspended by ropes and touching the head of the balance. A firm balance facing towards the east should be erected on a holy spot, two scales should be fastened to the sides of both (the posts), and the (blades of the) darbha grass should be placed in both the seats with their ends turned towards the East. In the scale towards the west should be weighed the parties (performing the ordeal), and in the other pure clay. There (i.e. on this side) he should place a basket and fill it with bricks, stones, and sand."

Here, however, there is an option as to the selection of clay, 10 bricks, stones, or sand.

"Persons should be appointed as judges who are well-versed in the weighing of balances viz.: the grocers, the goldsmiths, as also the bronze-smiths. The Judges should always make the balance even and in a line with the suspender, and the wise should place water over the balance; that balance should be considered as even wherein the water does not move."

"Having first weighed the man and after having got him down, the balance should always be kept adorned with buntings and flags, and then one knowing the mantras should invoke the gods as described in the following procedure: Thereafter the Chief Judge with the flourish of music, with his face towards the East, and with folded hands bearing fragrant odours, flowers, and besmearings, should repeat the following (prayer): "O God Dharma, come, O, come, and be seated in this ordeal accompanied by the Guardian Deities of the quarters and by the groups of the Vasus, Adityas and Maruts."

"After having invoked the God Dharma¹ (to be seated) in the balance, thereafter the (other) parts should be distributed (as follows): Having seated Indra in the East, and the Lord of the Dead in the South, Varuna in the portion towards the West, and Kubera in the North, he should seat Agui and other Guardian Deities of the quarter in the parts in the corners."

"Indra has the yellow colour, Yama the blue, and the colour of Varuna is like that of sphatika stone. Kubera, moreover, has the

^{1.} Law or the Deity presiding the Law.

lustre of gold, and the god of Fire also possesses the golden hue. Similarly the Nirrtih is known to be blue and Wâyu (the god of wind) smoky. Is'âna is, however, red. Thus should all these be contemplated in the order (mentioned above)."

- 5 "A wise man should worship the Vasus on the southern side of Indra. Dharâ, Dhruva, and similarly Soma, Āpa, Anila, Nala, Pratyûsha, and Prabhâta, are known as the eight Vasus."
- "Similarly the group of the Âdityas should be placed between the Lord of the Gods and the I's'âna. Dhâtâ, Aryamâ, and Mitra, so also, Varuṇaḥ, Aṇs'uḥ and Bhagaḥ, likewise Indra, Vivaswān, and Pûṣhâ and Parjanya known as the tenth; then Twaṣḥṭâ and then Viṣhnu not the last though born of the last, these are the twelve Âdityas described by their names."
- "The point towards the west of Agni is known to be the place for the Rudras, Vîrabhadra, S'ambhuh, Giris'a of great fame, Ajaikapâd, Ahir-bhudhnya, Pinâki the never-defeated; so also Bhuvanâdhîs'varah, Kapálî, the lord of the people, Sthânuh, Bhavah and Bhagawân are known to be the eleven Rudras."
- "Between the Lord of the dead and Raksha a place should be assigned for the Mother Deities viz.: Brâhmî, Mâhes'warî, and also Vaishnavi, Vârâhi, Mâhendri, and Châmundâ accompanied by the bands of the followers."
- "The points to the north of Nirtti is known to be the place for Ganes'a, and the place for the Maruts is said to be at the northern side of Varuna; Gaganah, Spars'anah, Vâyuh, Anilah, and also Mârutah, Prânah, and the two viz., Prânes'a and Jîva are known as the eight Maruts. A wise man should invoke the goddess Durgâ at the northern side of the balance."
- "The worship of these deities is however known to be by 30 (repeating) their own names. Having offered worship to the God Dharma² commencing with the arghya and ending with decerations

^{1.} i. e. the last order, or the Rudras ef. "एकादशस्तथा त्वष्टा द्वादशे। विष्णुकृच्यते। जयन्यजस्तु सर्वेषामादित्यानां ग्रेणाधिकः"॥ महाभारते I. 65. 16.

^{2.} The principal deity प्रधानदेवता in this ritual.

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&c.; thereafter a similar worship should be offered to the other deities viz. commencing with the arghya and ending with decorations the service should commence with gandha (sandal-paste) and end with naivedya."

Here, moreover, having duly constructed a balance adorned with buntings and flags, and having invoked thereon the God Dharma with the hymn—"Come, O come &c.", and *Page 63. with the formula, "I offer this Arghya to Dharma;

bow to him, &c." having offered arghya, pâdya and water, madhuparka and water again, a bath, clothes, the sacred thread and the water ending with the offer of the crown, the bracelets and other ornaments, and then to the other deities commencing with the god Indra and ending with the goddess Durgâ, with the repetition of the om (3) at the beginning of the name of each deity and with the dative case at the end, and having offered worship to them commencing with the arghya and ending with decorations, he should then offer to the god Dharma the gandha (sandal paste), flowers, burnt perfumes, light, and the Naivedya, and then should offer as before to the god Indra and others the worship commencing with the gandha. The sandal and flowers for the worship of the balance should be (of a) red (colour), as says Narada: "With the red sandal paste, red flowers, curdled milk, fried puddings, the rice grains &c. first (he) should offer worship &c. to the balance and then he should do honour to the respectable (people present there)." Of Indra and other gods the worship may be (offered) with red or other flowers such as are available (at the time), as no special rule has been mentioned. Thus should be the order of worship.

All this, moreover, the Chief Judge should do. As has been said³: "Then the Chief Judge, a Brâhmana, who has completely mastered the Vedas and the Vedangas, who is accomplished by his learning as well as his conduct, whose mind is calm, and who is free from feelings of jealousy, who is the essence of truthfulness, who is pure, and who is watchful and devoted to the welfare of all beings,

^{1.} i.e. the secondary or subordinate deities अगदेवता: In every performance there is a प्रधानदेवता the principal Deity and the rest are accessories, अगदेवता:

^{2,} This ॐ इंद्रॉयनम: &c.

^{3,} By Narada,

who has observed a fast and who after cleaning his teeth has worn a clean cloth, should do worship to all the deities as prescribed by the ordinances." Moreover, a sacrifice should be offered in the Laukika fire by the four Rivijas in the four quarters, as is said1: "Similarly a sacrifice should be offered in the four quarters by those who have completely mastered the Vedas, by means of ghee, and holy articles of sacrifice, and with the samidhs which are the (usual) means of a sacrifice, by repeating the Savitri and the Pranava mantras with the words swaha at the end of each." The meaning is that each of the three articles viz. the samidh, ghee and the rice should be offered 10 108 times each with the repetition of the gâyatri with the pranava at its commencement and again with the addition of the pranava at the end after the offer of the oblations with the words swaha.

Thus having performed the worship of the deties with the oblations as the last, thereafter, having written on a leaf the subject-15 matter of the dispute, it should be placed on the head of the person wishing to perform the ordeal. As has been said: 2 "Having written on a leaflet, whatever is the subject-matter of the accusation. it should be placed on the head with (the repetition) of this mantra." The Mantra, moreover, is this: "The sun, and the moon, the fire 20 the wind, the sky, the earth, the water, the heart, the god Yama, the day as well as the night, and the two evenings, and Dharma, each one knows the action of men." Moreover, the part of the ceremonial commencing with the invocation of the Dharma and ending with the placing of the leaf on the head, is common to all 25 the ordeals, as has been said: "The whole of this ceremonial preceding the Mantra should be observed in all the ordeals; similarly should be observed the invocation of gods."

Thereafter the chief Judge should invoke the balance, vide the text;3 "One knowing the Sastra should also invoke the balance with 30 this formula and the mantras also have been indicated viz. balance, you have been created by the Creator for testing the sinful. From the letter dha (in your name) you are the incarnation of Dharma; and since from the letter ta in your name you determine a

^{1.} By Pitâmaha.

^{2.} By Narada.

^{3.} By Pitâmaha.

guilty individual when he is weighed (in you), therefore you are known as the Dhâta. You know the sins as well as the good deeds of all beings. O God, you alone know those things which mortals do not know. This man who has been accused in a judicial proceeding wishes to establish his innocence; therefore, O Lord, you 5 should be pleased to save him from this suspicion according to the rules of Dharma. " The person wishing for an acquittal however should invoke the balance with the mantra given above viz. balance &c." Thereafter the chief Judge shall place in the balance the person wishing to perform the ordeal, and having placed on his head the leaf, and after seating him in his proper place; vide the text: 10 "Should again be seated in it, after having placed the document on him." And while so seated he should be made to sit in that condition for an interval of five rinādis1; one knowing the science of astronomy should determine this interval of time, vide the text2: "One knowing astronomy and who is the best of Brahmana should 15 determine the interval of time; the interval of five vinādis should be determined by those who are experts in determining time. The intervel required for pronouncing ten long letters is known as a $pr\hat{a}na$; six $pr\hat{a}nas$ make a $vin\bar{a}di$. It has also " (the interval required for pronouncing) ten long said: 20 letters is called a prâna, six prânas make a vinâdi, sixty of these a ghati, and of sixty ghatis is said to be made a day and night." 303 days is made a month.

During this interval, moreover, pure men should be appointed by the king for determining the acquittal or non-acquittal, and these will declare the acquittal or non-acquittal as has been said by Pitâmaha: "Among the umpires the best Brahmanas who would depose only such as has been seen by them, who are wise, pure, and who are not covetous should be appointed by the king. Umpires

^{1.} विनाही see further on, a measure of time equal to 1/60th part of a of Ghati—24 Seconds.

^{2.} खामिन:— ख-the sky-0, & आमि—3; and according to the general rule अंकानां वामनो गतिः; this can be written as 30.

^{3.} The method by which this figure of thirty is arrived at, is explained above.

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of (such a) high character will then inform the king of (his) innocence or non-innocence.

The condition for determining the innocence or non-innocence has, moreover, been laid down¹ thus: "If, on 5 * Page 64. being weighed he rises, he is undoubtedly innocent. If his weight remains the same as before, or if he goes down, he cannot be acquitted."

As to what has been said by Pitâmaha:—"One who will show an equal weight is guilty to a small extent, while he whose guilt is large, goes down."—there, although the smallness or the largeness of the matter under complaint cannot be determined by an ordeal, still the smallness or largeness of the punishment would be determined thereby—viz the (punishment) would be small if the act is done only once or unintentionally, while it would be great if the act is repeated more than once, or has been committed intentionally.

When, however, without any austensible cause, the scales &c. burst or break, even then, there is a non-acquittal vide the text³: "Should the base burst, or the scales break, or the beams or the hooks split, or the strings burst, or the transverse beam break, a non-acquittal should similarly be declared (as stated before)".

Kakṣhā is the base of the balance; the two Karkaṭas are the two iron-hooks slightly bent, fixed at the two ends of the balance to support the scales and resembling the thorns of a crab (\overline{vabe}). The Akṣha is the piece of the beam to be placed on the two base pillars, for holding the balance. When, however, these break on account of a cause which is ascertainable, then he should be placed again, wide the text: "In the case when the scales &c. burst or break, the man should again be placed."

By Nârada. I. 283.

^{2.} i. e. the same having already been stated in the leaf placed on the man's head.

^{3.} Nårada. I. 284. The text actually to the found in the edition of Dr. Jolly is, however, quite the opposite of this: the last line there being धूर्तिन: ग्रह्मवाहिशेत—"shall pronounce a formal declaration of his innocence." Kåtyāyana, suggests a re-trial, See Verse 440.

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Thereafter "The king should please the Rtwiks, Purohitas, and the Achārya by means of dakshinas. A king causing these to be made in this manner, after having enjoyed (all) the pleasures of enjoyment, obtains great reputation and is entitled in the end to absolution."

When, however, the king wishes to maintain in the same condition and permanently the balance as described above, then he should build a house for it in order to protect it from damage from the crows &c. vide the text²: "A balance-house should be erected which should have a wide space, which should be high, and be white-washed, and its should be so situated where the balance (when placed,) would not be damaged by dogs, or the chāndálas, or crows. There also he should cause to be (invoked and) seated in several quarters the guardian deities of the quarters and other dieties, and should cause their worship to be made there at the three changing periods of the day by means of sandal-paste, flowers, and (other) unctions. He should have it protected by doors, store seeds therein, and have it watched by the guards, should cause earth, water, and fire to be placed therein, and should not allow it to remain unattended³". Seeds i. e. of barley, rice &c.

Here ends the Ordeal by Balance.

Viramitrodaya

Thus, having stated the procedure applicable to all ordeals, now the Author states upto the end of the Chapter the special rules of Procedure for each of the ordeals viz. Balance and the rest.

Yājñavalkya, Verses 100, 101, 102.

Those who know the holding i. e. the balancing of the scales such as the goldsmiths &c. by these, Lekhyam⁴, 'a writing' such as 'I did not commit theit' and of a like nature, having placed on the head, and

- 1. A Rivik is the head-priest at a sacrifice; a Purchita is the head family priest; and an Achârya is one who imparts instruction in the Vedic Icre. [See Yajn.: I. 34 35 pp. 126-127 above (Vol. I; Part I); Manu. II. 140-143.]
 - 2. Of Pitâmaha.
- 3.7 i. e. the place should not be left deserted; a guard should always be placed to protect the machinery and to help its being kept in tact.
- 4. लेख्यं इत्या. The Mitakshara reads रेखां इत्या, and Sulapani etc. prefer to have the same reading. Visvarupa reads लेखा:इत्या, but interprets it similarly as the Mitakshara.

as against a counterpoise, equalised and so placed in the balance, the person complained against *i.e.* the performer of the ordeal, and having been made to descend into it, with the invocation, "(free) me &c." he should address the balance *i.e.* on the day of his being seated, he should pray with this mantra.

On the second day, moreover, if the person balanced increase i.e. goes higher up the equipoised weight in the other scale, then he is (declared to be) exhonerated i.e. is clearly found to be not amenable to the accusation i.e. there would be no longer any suspicion of a charge; if, however, he is found to be equal or lower than the counterpoise, then the performer of the ordeal shall not be regarded as exhonerated; he shall be deemed to have been defeated. This verse viz "Weighed &c." is stated in the Mitakshara in the name of Pitamaha.

The explanation of the mantra is, moreover, as follows:

"O balance, you are the abode i. e. the place, of truth; by the gods i. e. by Brahma &c. formerly i. e. in the first creation, you were created i. e. produced; therefore i. e. for that reason, O auspicious one, speak i. e. point out the truth, i. e. according to facts; and from this suspicion free me."

20 "O mother, if I am a sinner i. e. am speaking an untruth, then i. e. in that case lead me down; if I am pure i. e. am speaking the truth, then carry me upwards."

Here, after the manner of the (mahadana) 'Prime donation' of a Weighment Deity (Tula-purusha) including a little more in particular matters in the balance so prepared on the day of the weighment, after the writing of the statement solemnly declaring the absence of any cause for the charge against him, and after writing the mantra, "The Sun, the Moon, the Fire, the Wind, the Sky, the Earth, the

^{1.} Mitramiśra reads after verse 100 the following verse viz.: "तुलितो यदि वर्षेत विश्वद्धः स्थान संशयः । समे। वा हीयमानो वा न विश्वद्धे। भवेच्यरः ॥." which he says that the author of the Mitākṣharâ, has assigned to Pitāmaha, while Visvarūpa cites it as a text of Nâraḍa, in which Smṛti also it is stated at Ch. I. 283. As a matter of fact, however, Vijñaneśvara does not mention any writer; he simply says, 'it is stated'. The Smṛtichandriha also quotes it as a Nârada text p. 110; l. 3.

^{2.} तुलापुरुषमहाज्ञन—set out at details in the $D\hat{a}na$ Mayûkha with an extract from the Garudapurāna: The object stated is the removal of all kinds of diseases नानारोगझा(वेस्तुलाईभि:. See also $B\hat{a}lambhatti$ Achâra. P. 486.

^{3.} Lit: On the day of his being placed in the balance; 'तुलायामधिवासहिने.'

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Water, the heart, and the God Yama, the day, and also the night, and the two evenings, each one knows the actions of men and the Dharma''; and after placing that document on his head, the Chief Judge should cause the performer of the ordeal in the balance after it is counterpoised, with the repetition of the invocation mantra; and on the next day after the completion of the daily performances, with face towards the East with folded hands, invoke the Gods in the balance with the mantra as set out before, viz., "Come, O come thou the revered Dharma". Thereafter he should perform the worship of the Gods as stated by Pitâmaha, as follows: [Here follow the same verses as are set out above in the Mitâksharâ at p. 935 l. 29. as far as p. 937 l. 4.]

Then should be offered by four Rtviks versed in the vedas oblations, each of the samidhs, ghee, and cooked rice, commencing with the Prana, the Gayatri and ending with the Pranava and the word swaha, on the four sides of the balance in the Laukika fire. Then the Chief Judge should address the Balance—There the mantras are these (see above Mitakshara, p. 938, l. 31 to p. 939 l. 7). Then the Chief Judge should place the performer of the ordeal with the written document on his head, on the balance for an interval of five Vinadis. A Vinadi is defined thus: "Ten long letters make a prana, and six pranas, make a vinadika". Thereafter one who goes up, the king's messengers should declare him to be innocent and exhonerated. This is in short the substance. Here the measurement and the word for the balance and other details have not been stated out of fear of prolixity. These should be sought for in the statement for Mahadana. (100-104).

S'ûlapâņi.

Yajnavalkya, Verses 100, 101, 102.

Men conversant with holding the balance such as the grocers &c., after having equipoised the person complained against by means of stones and such like counterpoise, and when thus equipoised by the counterpoise, should mark with a white line the scale adjusted by the fall of strings, and after the person is made to get into it, he should repeat this *Mantra*.

Nârada²: "After having well fastened the two scales by the hooks of the beam, he should place the man in one scale and the stone 3 in the other; should place the person in the northern scale and the stone

to the top war in the first term of the

^{1. &#}x27;धर्मस्य' is the reading in Viramitrodaya for 'धर्मश्र' in the Mitakshara.

^{2.} Ch. I. 271-272.

in the other, in that towards the south; there he should fix a basket with bricks, sand, grains, and balls".

The meaning is that he should address the scale with the mantra. "Thou O. Balance, you are the abode of truth". Here the success or defeat should be inferred from the indication of the balance going up or 5 down. So Pitâmaha: "When weighed if he is (found to have) increased. he becomes exhonerated according to (Dharma) law. If he goes down, he is not exhonerated according to some; if equal, he is innocent. One with a small guilt is equal; but one whose guilt is great goes, down. By 10 the preponderance of Dharma and its power, one who excels (in weight) is declared pure". By saying "according to some", is meant that he should be examined again. So Brhaspatil: "If the person complained against when weighed in a balance goes down, he shall be declared guilty; if, however, he remains equal in level, he may be weighed again: 15 one who goes up shall be declared to be successful". Vyasa: "One who goes down is not declared to be innocent; one who goes up is declared pure; one who is leval is also not considered to be pure; this is the rule about purification2. "Should the scales break or the beam or the bolts break, or the strings burst, or the transverse beam split, the king shall administer the ordeal again". By the expression he is not declared innocent' is meant that he shall not be deemed to have succeeded, not that he is defeated". (102).

Thus ends the Chapter regarding the Balance.

The Ordeal by Fire.

Now the Author describes the Ordeal by Fire coming up in its turn

Yâjñavalkya, Verse 103.

After the hands of one, by whom rice paddy have been rubbed, have been marked, seven leaves of As'vattha³
30 should be placed on them, and as many (rounds of) threads should be coiled around.

^{1.} Oh. X. 19.

^{2.} Of. Narada I. 284. According to Narada, however, a formal pronunciation of the innocence is recommended, while according to this text a re-trial is ordered.

^{3.} Known as विष्तु. The Ficus Religiosa.

Mitakshara:—With the general rules of procedure laid down for ordeals having been complied with, and after the ceremonial commencing with the invocation of the God Dharma and ending with the placing of the document on the head, as described in the ordeal by balance has been gone through, this special rule (of procedure) is laid down in the case of the ordeal by fire.

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Vimrditavrihi, (one) by whom rice paddy have been rubbed, i.e. one by whom has been rubbed i.e. pressed, the rice paddy with both (the palms of) his hands, such a one is called vimrditavrihi. After the karau, hands, of him lakshayitwâ, have been marked, i.e. marked, with the juice of red lac &c. those parts bearing a spot, a curl, a scar, or a corn &c. as says Nârada¹: "All sores or scars on his hands should be marked with signs²." Thereafter Saptās'watthasya parnâni, seven leaves of Aswattha, nyaset, should be placed, on the two hands joined together, vide the text³: "Having covered his two hands joined together with seven As'wattha leaves of equal size." These, moreover, together with the hands should be veshtayet, coiled round, with thread, as many times as there are the Aswattha leaves i. e. the meaning is that it should be coiled in seven rounds.

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The threads, moreover, should be seven and white, vide the text of Nârada: "The two hands should be covered round by seven strings of white thread." Then seven leaves of Sami, also seven blades of the Dûrwa4 grass, and the rice akṣhatas, as also rice besmeared with curds, (all these) should be spread over the aṣwattha leaves, vide the text: "He should spread seven pippala leaves, the s'ami leaves, as also the rice, seven blades of dûrwā grass, and rice besmeared with curds." Also should the flowers be spread, vide the text of Pitâmaha: "Seven leaves of As'wattha, the rice, the flowers, and curds should be placed on the two (palms of the) hands, and then the same should be coiled round.' Sumanasah, means flowers. Although there is a text viz: "He should be considered pure who remains

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^{1.} Ch. I. 301.

^{2.} A इंसपद is the same as a काकपद, 'the sign,'

^{3.} Of Nårada,

^{4.} The Cynodon Dactylon.

* Page 65. tree", still that should be understood as meaning that the arka leaves are to be taken in the absence of the As'wattha leaves, as the importance of the as'wattha leaves is inferrable from the text of Pitâmaha in praise thereof viz.:—"From the Pippala tree fire is produced, the pippala is known as the lord of trees; hence a wise man should spread its leaves on the hands."

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S'ûlapâni.

The Author states the ordeal by fire.

Yâjñavalkya, Verse 103.

If the hands have scars or sores on account of the crushing of the paddy grains, these should be noticed and in those places of scars, marks should be made with lac drops. So Narada²: "On all scars and sores on the palms of the hands marked previously............ after placing seven leaves of the *pippala* tree, should encircle with seven strings." (103).

The Author now mentions the mantra invoking the Fire to be repeated by the person performing the ordeal

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Yâjñavalkya, Verse 104.

"O Fire thou pervadest the innermost parts of all created beings, you are the purifier. O omniscient, declare like a witness, the truth about me from my virtues and sins."

Mitâksharâ:—Agne twam sarvabhûtânâm, O fire you, of all beings, i.e. the viviparous and oviparous animals, the insects born of sweat, as well as the plants germinating from sprouts, antah, in the innermost recesses, i.e. inside their bodies, charasi, pervadest, i.e. remainest there as the digester of all food and drink used; Pâvaka, purifying; i.e. the purifying cause; kave, (0) Ommicient, i.e. knowing all, sâkshivat punyapāpebhayah

^{1.} The Calatropis Gigantea.

^{2.} Oh. V. 301.

^{3.} उद्भिजाः उद्भिजाः स्थावराः सर्वे बीजकांडपरोहिणः Manu I. 46

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satyam brūhi, declare like a witness the truth about me from my virtues and sins. The oblative case in the expression punya-papebhyah is formed by dropping the ल्यब्¹. The meaning is that having observed my virtues and sins, speak the truth (about me).

When the iron ball is well heated by the three fires and after it is brought out by means of a pair of tongs, the person desirous of performing the ordeal standing in the western enclosure with his face towards the east, should invoke the Fire by means of this mantra as says Nârada²: "An iron ball fifty Palas in weight, having been made fiery, sparkling, and redhot, and after it has been heated thrice, thus should one address it in the language of truth." The meaning of this is: In order that the iron may be purified, the iron ball which has been well heated should be thrown into water, and again heated, and again thrown into water, and heating it a third time in the fire, and having then brought it forth by means of a pair of tongs, the performer (of the ordeal) should address it in the language of truth, i. e. containing truthful words, with the mantrâ: "O fire thou pervadest all created beings &c."

The Chief Judge, however, having kindled the fire called Laukika³, towards the southern side of the enclosure, should offer 108 times the oblations of ghee with the mantra:—"This is being offered to fire the purifier", vide the text: "The (oblations of) ghee a 108 times." Having offered the oblations, and having thrown the iron ball into the fire, while the same, lying there, is being heated, he should perform the ritual described before commencing with the invocation of the God Dharma and ending with the offer of oblations, and while the ball is lying being heated the third time, he should address the fire in the (heated) iron ball by the following invocation:

"O Fire, thou art the four Vedas (themselves incarnate) and to thee are oblations offered in sacrifices. Thou art the mouth of

^{ાં.} e. the gerundial ų in રોફ્ય. Instead of the fuller clause "having seen my virtues &c." the construction used is "from my virtues and sins."

^{2.} Ch. I. 289-290.

^{3.} i. e. ordinary; as distinguished from special fires kindled on special occasions.

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all gods, thou art (also) the mouth of the philosophers. Being in the abdomen of all beings, thou knowest all their good and bad deeds. Since thou purifiest the sins thou art called 'the purifier'. In the case of sins, O Fire, exhibit thyself *i e.* appear in flames, O thou holy purifier! while in the case of purity of the heart, be cool, O consumer of all oblations. O Fire thou movest in the hearts of all gods as a witness. O god, thou alone knowest those things which no human being knows. This mortal being accused at Law wishes to get himself cleared; therefore it behoves thee to free him from this charge according to the sacred Law, *Dharma*.'

S'ûlapâni.

Yajñavalkya, Verse 104.

Thereafter, after heating the iron ball, this mantra one should repeat. "O you purifier, you wise," &c. all in the vocative case. (104).

Yâjñavalkya, Verse 105.

After he has addressed in that manner, he should place in both his hands a smooth ball of iron weighing fifty palas and red (heated) like fire.

Mitaks'hara:-Moreover, tasya, of him, i. e. of the performer (of the ordeal) while thus uktavatah, addressing, i. e. 20 while invoking with the mantra: "O fire thou pervadest the innermost parts of all beings &c." lauham, the iron, i. e. made of iron, pindam, ball, panchâs'atpalikam, weighing fifty palas, i. e. of the quantity of fifty palas, samam, round, having no angle i.e. rounded and even on all sides and polished and eight fingers in length, vide 25the text of Pitâmaha: "After removing all angles and making it even, a ball of iron of eight fingers weighing fifty palas should be heated in the fire." Agnivarnam, red like fire, i. e. resembling fire; ubhayoh hastayoh, in both hands, covered with the as'wattha leaves, curds, the durwá grass, and other things, nyaset, should place, i. e. 30 the chief judge should deposit.

^{1.} This is an addition in the ex manuscript.

S'ûlapâni.

Yajñavalkya, Verse 105.

Made of fifty palas, an iron ball of eight fingers, made smooth without an angle and also along with the mantra, he should place in the hands of him—i. e. the performer of the ordeal. (105).

What then should be done? So the Author savs Yājnavalkya, Verse 106 (1).

He having taken it (into his hands) should walk through only seven circles slowly.

Mitâksharâ:—Sa, he, i. e. the man, having taken the heated 10 iron ball in the cavity of his hands, sapta mandalâni sanaih, vrajet, should walk seven Page 66. circles slowly. By the use of the term eva, only, the Author indicates that the foot-steps should be placed within the circles, and that he should not go beyond the enclosure, as says 15 Pitâmaha, "He should not go out of the enclosure, nor should he put his foot inside (the rim)."

It has been said above that "he should walk through only seven circles slowly." There a question may arise as to where are the measurements for one mandala each, and what should be the space intervening between two rounds? So the Author says

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Yâjñavalkya, Verse 106.

A Mandala or a round should be understood to be sixteen fingers (in diameter), and the same should be the space intervening (between two mandalas or circles).

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Mitakshara:—That (the length) of which is sixteen fingures is a shodasangulakam, sixteen Angulas. The circle should be understood to be of the dimension of sixteen Angulas. The antaram, space intervening, i.e. the distance between two circles is (to be) the same.

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By saying however that he should walk through seven circles each of sixteen angulas, is meant to include the first circle in which he is standing and therefore, in all there would

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be eight circles of sixteen fingers each, while other circles (than the one at the centre) would be seven of the same dimension. This very thing has been stated by Nârada¹ by the method of enumeration thus: "The interval between every two circles is ordained to measure thirty-two fingers or angulas. Thus the space covered by the eight circles will be a little more than two hundred and twenty four² by the measure of angulas".

The meaning is this: The circle other than the first circle and at a distance of sixteen angulas is the second circle. Each circle being removed further on from the second and at a distance of thirtytwo angulas from the first circle, leaving a space of sixteen angulas. Thus seven circles should be gone round each having an intervening space of thirty-two angulas. Thus the space of ground intervening between the seven manulalas would be two hundred and twenty-four angulas in terms of angulas.

The suffix at is used to indicate all inflexional cases. According to this view, after having made the central round of sixteen angulas in measurement, each one of the intervening spaces measuring thirty-two angulas and lying between the seven mandalas should be divided into two, and the ground of the intervening space should be fixed at sixteen angulas, seven mandalas should be created measuring twice sixteen angulas the breadth of each being according to the measure of the foot of the person who has to go round. As has been said by the same Author: "A round should be made as broad as his foot."

As to what has been said by Pitâmaha viz.: "Eight circles should be made, and also a ninth in the front" the first circle should be dedicated to the god Agni (fire), the second to (the god) Varuna (water), the third to the God Wāyu (wind), and the fourth to the God Yama; the fifth is consecrated to the God Indra, and the sixth is said to be for Kubera; the seventh is for the God Somu, and the eighth to the Sun, and the ninth is for all Gods. This is the practice known to all experts in ordeals.

^{1.} Oh. I. 285, 286.

^{2.} In the printed edition of Narada the reading is গ্রেপ্সায়ন 'fifty-six'; thus the total would be 256,

The interval of space between every two circles is ordained to be thirty-two angulas. Thus the space covered by the eight circles is supposed to measure two hundred and fifty-six angulas. A circle should be made as broad as the foot of the person performing the ordeal. The kus'a grass should be spread over all the circles as dictated by the S'astra."

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There (the meaning is that) after making the ninth circle which is intended for all gods and which is unlimited by any measurement of angulas, the eight circles and the eight intervening spaces together cover a space of two hundred and fifty-six angulas. There also (the number of) circles (actually) to be walked through would be seven only. Since he stands in the first and throws down the ball in the ninth, and so there is no difference as to the measurement of angulas. "Eight slanting barleys or three rice-corns make one Angula, twelve Angulas make one Vitasti, two Vitastis make a Hasta, and four Hastas (make) one Danda. One thousand of these (i. e. Dandas) make one Kos'a, and four of these (i. e. Kos'as) make one Yojana." Thus should be understood (the table of measurement).

S'ûlapâni.

Yâjñavalkya, Verse 106.

Here, the accused, taking hold of the iron ball should walk through the seven *Mandalas* (circles) made of cow-dung, more than seven. Each circle and the distance between each pair of *Mandalas*, shall be sixteen fingers. (106).

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After having gone through the seven circles what should be done? so the Author says

Yâjñavalkya, Verse 107 (1.).

After he has thrown away the (ball of) fire and rubbed his hands with rice, if he is (found to be) unburnt, 30 he should obtain an acquittal.

Mitakshara:—Standing in the eighth circle and afterthrowing away in the ninth circle the iron ball heated with fire,

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having pressed the rice corns with both his hands, if it is found that his hands remain unburnt, s'uddhim āpnuyāt, he should obtain an acquittal. It follows from this that if his hands be burnt he is considered to be guilty.

One, however, who through fright stumbles and is burnt elsewhere than on the hands, even then he is not * Page 67. considered as guilty. As says Kātyâyana¹, "If while under a charge, one stumbles and is burnt elsewhere than at the proper spot, the Gods consider him as unburnt, and he should be awarded the entire claim."

Yâjñavalkya, Verse 107 (2).

If the ball falls down on the way, or in the case of a doubt, he should carry (it) again.

Mitâkṣharâ:—If while (he is) walking, the ball falls, antarâ, on the way, i. e. even before the eighth circle is reached, or if sans'ayaḥ, a doubt arises, as to whether he is burnt or unburnt, then, tadâ punrâharet, he should carry it again. This is the rule laid down and as necessarily follows from the sense.

Here, however, the following is the order of procedure. On the previous day having performed the purification ceremony, the next day, the Chief Judge should mark the circles according to Sastra, worship the presiding deities of the circles in their respective places, consecrate the sacred fire and complete the Santi sacrifice, and then after causing the ceremony of the consecration of the hand, by the pressing of the rice corns &c. to be made, of the person performing the ordeal who had observed a fast, and who after having bathed was standing with wet garments in the western circle, and after tying on his forehead the leaf containing the charge by repeating the Mantra, the Chief Judge should invoke the God Fire when the ball is heated a third time, and lifting with a tong the heated iron ball which had been duly addressed (by the performer), he should place it in the hands of the person performing the ordeal. And this latter

^{1.} Verse 441.

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also if after walking through seven circles and throwing down the ball in the ninth remains unburnt, then he is declared innocent.

Here ends the Ordeal by Fire.

Viramitrodaya.

Now the Author states the procedure for the ordeal by fire, reached in due course

Yâjñavalkya, Verses 103, 104, 105, 106, 107.

Tato, 'thereafter', i.e., after the process stated in the general rules of procedure for the ordeals, and the invocation of the God Dharma &c. vimṛdita, 'rubbed', i.e., crushed, vrihayo, 'paddy', by which-of this 16 description the two hands—; lakṣhayitwā, 'marking' the Chief Judge in the palms of the hands joined together, seven white pipal leaves should be taken; vide the text of Nārada: "Should encircle the white hands with seven fibres of thread". Here, "Having placed the sami leaves, akṣhatā grains and also the durwas, these should be deposited 15 in the leaves" has been mentioned as a special rule in another Smṛti.

Nârada¹: "In all cavities in the hand one should make the previous marks; and these should again be examined and dotted with spots; thereafter, the seven leaves one should encircle with seven thread strings."

Thereafter, while repeating the verse, "O fire &c.", he (the Chief Judge) should place on the hands of the person performing the ordeal—and by the use of the word api, 'even', on the pipal leaves lying theron—the iron ball weighing fifty palas and coloured red-hot as fire.

The meaning of the mantra is: "O Fire, parana, 'the purifier', i.e., the purifying cause; Kave, "Omniscient', i.e., all-knowing; sarvabhatanam, 'of all created beings', i.e., of all sentient beings; antah, 'in the innermost', i.e., inside; charasi, 'pervadest', i.e., move about for the purification of food, drink &c. In the expression punyapapapabhyah 30 the ablative case is by the elition of the gerundial termination—the meaning is—after having examined the merits and the sins, like a witness declare the truth about me.

In this connection is a Smrti²: "An iron ball red hot like fire, sparkling and well marked, weighing fifty palas, having purified it again 35 and again, by heating, the Brahmana at the third time while it is burning,

^{2.} See Nârada I. 289 &c.

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should address it premised by truth as follows: "Listen to this law of men, which has been presided over by the guardian deities of the world. Thou, O Fire, live within the inside of all beings; like a witness, you alone, O Fire, know things which men do not know. This man accused in a court of law desires exhoneration; therefore be pleased to relieve him from this suspicion according to Dharma."

The person performing the ordeal, having taken up the iron ball should slowly walk through the seven circles. By the use of the word eva, 'only', is indicated the stepping of one foot in the circles and the non-transgression of the circle; as says Pitâmaha: "Never should he step beyond the circle; he should place his foot inside; having gone to the eighth Mandala, the wise should throw it in the ninth".

A Mandala, 'circle', moreover, should each be known to be sixteen fingers in measurement, and should have an intervening space of sixteen fingers between each.

Now, if after reaching the eighth Mandala, and standing there, after throwing it in the ninth Mandala, and even after rubbing the paddy if he be adagdhah, 'is unburnt', then he should get śuddhi, 'acquittal, i. e. success in the point at issue. If, however, even before the eighth circle (is reached) the iron ball drops down, or there be a doubt whether he was burnt or not burnt, then again also according to the procedure stated before, he should carry the iron ball in his hands.

Thus, this is the order here: "On the previous day after having observed a fast and taken his residence, the performer of the ordeal, on the next day, having invoked the God Dharma with the mantra, 'Come, come, Oh revered Dharma', having placed on his hand the document, through the nine circles each of the dimension of sixteen fingures and each having an intervening space of sixteen fingers, and marked with rice flour or the like, while standing in the first circle, after the hands were examined and the places of scars having been marked with red dye, when the iron-balls are heated three times, and after he was addressed by the Chief Judge with the words, "Hear this law prepared for men &c.," after having placed seven pipal leaves on the palms, and encircling it with seven white threads together with the pipal leaves, barley, durvas, and sami leaves, and having placed thereon ' the red hot iron ball, after having in order passed through the other six circles, while standing in the eighth, should throw the iron in the ninth. Thereafter after the paddy grains were crushed by the hands, when he is found to be unecathed, be should be declared as

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innocent. Even if burnt in any limb other than the hands, still he should be (regarded as) innocent. (103-107).

S'ûlapâni.

Yâjñavalkya, Verse 107.

Under the text of the Kâlikâ Purāṇa, viz.: "After having gone round he should throw it in the grass", having thrown the red-hot iron ball in a heap of grass, after crushing the paddy grains, if he remain unburnt, he gets exhoneration. A special rule is stated by Pitâmaha: "Then in his hands should be placed paddy grains or barley; and when after these being rubbed in the hands unhesitatingly, he remains without any injury to the end of the day, he should get an acquittal". If it falls in the interval of the seven circles, or is burnt, or if there be a doubt, he should have the fire again". Kâtyâyana¹: "If the accused falters, or is otherwise burnt; the Gods do not consider him as burnt; to him, it should be offered again". (107).

Thus ends the Ordeal by fire,

Now the Author states the ordeal by Water

Yâjñavalkya, Verse 108.

"Protect me thou for (the sake of truth, O Varuna" thus having invoked (the God of) water, one should enter 20 the water navel-deep catching hold of the thighs of one who was standing in the water.

Mitâksharâ:—Varuṇa satyena mâmabhiraksha twam, 'O Varuṇa thou shouldest protect me for (the sake of) truth', by this mantra having abhisâpya, invoked, i. e. addressed, kam, i. e. water, catching hold of the thighs of nābhidadhnodakasthasya, one who was standing in the water navel-deep, i. e. of a man who was standing in water to the level of his navel, the person wishing for purification, jalam pravis'et, should enter the water, i. e. should immerse himself in water.

This, however, (should be done) after the worship of the God Varuna has been finished; vide the text of Narada: "He should first offer worship to the God Varuna with concentration by means of

^{1.} Verse 441.

fragrant besmearings, and flowers, and by means of honey, milk, ghee Similarly after the general procedure is observed i. e. that beginning with the invocation of Dharma, and ending with the worship of all the deites, the performance of the sacrifiee, and the head of the document containing the 5 the placing on after the Chief Judge has addressed the water plaint. For, water, thou art the life of all sentient wert created before the creation; thou hast been mentioned as the means of the purification of things as well as of corporate beings, hence. O discriminator of the auspicious from the inauspicious, thou 10 shouldest exhibit thyself", the person wishing for an ordeal should then invoke Varuna with the mantra "O Varuna protect me for truth &c." The places for water, have, moreover been mentioned by Nârada¹ "In streams which have a smooth current, in oceans in rivers, in lakes, in ponds, in holy ponds, in tanks and in pools". 15

So also (has been said) by Pitâmaha: "He should plunge in water which is steady, and not (that) in which are crocodiles, nor which is shallow, that which is devoid of grass or moss, and which is free from leeches and the fish; he should make the purification in water which is in the holy ponds. One should always avoid the water which has been brought, as also the water in swiftly flowing rivers. He should always enter such water as is free from waves and mud." Brought, i. e. water brought from tanks & and stored in copper pans.

The man standing in the water navel-deep should be firm, grasp a consecrated pillar made of the holy tree and stand with his face towards the east; Vide the text²: "He should stand in water with his face towards the east and grasping the sacred post."

S'ûlapâni.

Now the Author states the ordeal of water

Yâjñavalkya, Verse 108.

"O Varuna, 'protect me by the truth,' thus having caused the oath to be taken in regard to the water to be drunk, and by catching hold of the thighs of another man, either a Bráhmana, Kshatriya, or a Vaisya, who was

^{1.} Oh. I. 305,

standing in water to the depth of his navel, he should immerse in steady water. Pitâmaha: "The wise man should cause a circle to be made, and should devoutly honour it, and the arrows with flowers and incense, as also the bamboo bow." (108).

What should be done then? So the Author proceeds Yâjñavalkya, Verse 109,

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When another swift runner brings back the arrow discharged simultaneously (with the immersion) and if he sees him with his (entire) body immersed in water, he obtains an acquittal.

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Mitâksharâ:—When, samakâlam, simultaneously, with the immersion (of the defendant) one swift runner had gone, anyaḥ javi, another swift runner, standing at the place where the arrow had fallen, brings back the arrow first discharged, and if he sees him (i. e. the person performing the ordeal) nimagnângam, his body (still) immerced in water, then he is declared innocent.

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This is the substance of what is (meant to be) said:—After three arrows are discharged one man endowed with a velocity goes to the place where the middle arrow has fallen, and taking it up stands there also. Another runner, also swift, stands at the place from where the arrows are discharged, i.e. at the bottom of the arch. When the two are thus stationed, the person performing the ordeal immerses into the water at the third clap of the hand (of the Chief Judge.) And even simultaneously with this the man standing at the base of the arch goes swiftly to the place where the middle arrow

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* Page 68. had fallen, and immediately after his arrival there, the one standing with the arrow held in his hand swiftly going to the base of the arch, if he does not see him (i. e. the performer of the ordeal) on account of his being immersed in water, then he is declared innocent.

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This very thing has been made clear by Pitamaha: "The running and the immersion (respectively) of the runner and of the performer of the ordeal should be simultaneous. A swift runner should go from the base of the arch to the spot where the arrow has fallen. Immediately after his arrival there, the second also quickly

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taking up the arrow should go to the base of the arch from where the first man started. If the one with the arrow in his hand, on his arrival (at the base of the arch) does not find him, because he was completely immersed under water, then he, i. e. the Chief Judge, should declare his innocence."

Nârada, moreover, has laid down the rule for determining the swift runners thus: "Those two men who would stand first in running among fifty runners should be appointed for the purpose of bringing back the arrow." The arch also should be erected on a level ground near the place of immersion, and equal to a height as far as the ear of the person performing the ordeal. Vide the text of Nârada: "Having reached the place near the water an arch as high as the height (of the performer) upto the ear should be erected on a level ground".

The three arrows as also the bow made of bamboo should first be worshipped with auspicious things such as white flowers &c. vide the text of Pitâmaha, "First the arrows he should worship, as also the bow made of bamboo by means of auspicious articles such as smelling odours, flowers &c. and then should he begin the performance."

The measurement of the bow as also the place of the target have been mentioned by Nàrada¹: "A strong bow is declared to be 107² (angulas) long, a moderate bow 106, and an inferior bow 105 (angulas). This is declared to be the rule regarding the bow. With the moderate bow a wise man should discharge three arrows having fixed the target at a distance of 150 hastas; if arrows are thrown at a less or a greater distance there would be a flaw." A hundred and seven (107) means one hundred and seven of angulas; this is a strong bow. Similarly, also, about 106 and 105 (respectively). Thus the dimension of a strong bow has been mentioned to be eleven angulas in excess of four hastas, of a moderate bow, ten angulas, and of an inferior bow, nine angulas.

^{1.} Ch. I. 307.

² It may also mean 700, 600 and 500 Angulas respectively, the original words being सन्धानम्, बर्भनम् and पश्चानम्. The *Mitáksharâ* interprets these as a hundred plus seven, hundred plus six, and hundred plus five.

The arrows, moreover, should be made of bamboo without an iron; vide the text¹: "For the purification, arrows should be prepared of the bamboo tree without any iron at the end, and the person discharging it should discharge forcefully". The person for discharging the arrow to be appointed, should be a Kshatriya or a Brāḥmaṇa living like Kshatriya, and one who has observed a fast as has been said²: "The person to discharge (the arrow) has been laid down to be a Kshatriya, or a Brāḥmaṇa living like him. He should not have any cruel thoughts in his mind, must be calm and must have observed a fast, and then should discharge (the arrow)."

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Of the three arrows when discharged, the middle one should be taken, since it has been so laid down in the Sastra; vide the text³: "The middle-most arrow, however, should be taken up by a strong man." There also, the arrow should be brought from the place where it falls, not to where it moves on; vide the text: "The place where the arrow falls should be considered, while the spot where it moves should be avoided, since an arrow may go a long distance by moving and moving." The arrow, moreover, should not be discharged when the wind is blowing violently, nor on a ground which is uneven &c; vide the text of Pitâmaha: "A learned man should not discharge the arrow when the wind is blowing violently, nor on a spot which is uneven, is covered by trees, or is covered by grass, bush, creepers, plants, mud, or stones."

By saying that "if he sees him with his entire body immersed in water he obtains an acquittal", the guilt has been declared of one whose body is seen above water. Where the person moves to another place a guilt has also been declared by Pitāmaha thus: "Otherwise there shall be no acquittal if even one limb is seen" (also) "Or by his going to a place other than that where first he was made to enter." The expression "if even one limb is seen" is used in reference to the ear &c. as there is a special text viz: "He (the judge) may declare him also as innocent if after immersing into the water his head alone is seen, and not the ears, nor the nose."

^{1.} Of Kátyáyana, Verse, 442.

^{3.} Of Nârada; Ch. I. 310.

^{2.} By Pitâmaha.

^{4.} Also of Pitâmaha.

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The order of procedure here is this: Near the store of water as characterized above, having set up an arch of the description given before, and having fixed the target at a place and at a distance as stated, having properly worshipped the bow together with the arrows near the arch and invoked Varuna in the store of water, and offered worship to him, having moreover, on the bank (of the water) offered oblations to Dharma and other gods at the end of a sacrifice, the Chief Judge should tie the document containing the complaint on the forehead of the person wishing to perform the ordeal and thus address the water with the mantra. "O Water thou art the life of living beings &c." Then the person performing * Page 69. the ordeal having invoked the water with the mantra, "(protect me) by the truth &c." should go near the strong man who has grasped firmly the pillar and who is standing in water navel-deep. Then, after three arrows are

go near the strong man who has grasped firmly the pillar and who
is standing in water navel-deep. Then, after three arrows are
discharged, and after one swift runner has taken his stand at the
spot where the middle arrow falls, holding in his hand the middle
arrow, and another has stood at the base of the arch and when after
this the Chief Judge has given three claps, the running, immersing,
and bringing back the arrow should simultaneously take place.

Thus ends the Ordeal by Water.

Viramitrodaya.

Now the Author states the procedure for the ordeal of water, reached in due course

Yājñavalkya, Verses 108, 109.

O Varuna, satyena, 'for truth', twam, 'you', mâ, 'me', i. e., myself, abhirakṣha, 'protect',. Thus having, abhipragâya, 'loudly addressed' i. e., invoked 'water', kam. In some places such itself is the reading'. Nabhidadhnam, 'navel deep' i. e., measuring as far as the navel, of one standing there i. e., of a man, catching hold of the thigh, ialam višet, 'one should enter the water', i. e., should get immersed into water, the performer of the ordeal. At that time while one with a swift pace has started, another man with a swift pace who was standing at the place from which the arrow was discharged, when he brings back the

^{1.} The several readings are अभिशाप्य, अभिप्रगाय.

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arrow and has seen the performer of the ordeal with his body immersed, then he gets an acquittal.

This is what is intended to be said: At the immersion time when an arrow had been discharged and a swift runner had gone to bring it. another arrow immediately discharged thereafter another swift runner brings back, and if at that time he sees him immersed, then he becomes exhonerated. Here, this is the procedure: "At the outset one should concentrate and offer worship to Waruna with sandal paste, fragrant flowers and with sweet milk, ghee &c.," so says Narada. Thereafter, after observing the procedure as stated before viz. from the 19 invocation to the placing of the document on the head, the Chief Judge should address the (God of) Water thus: "Oh Water, thou art moving in the innermost recesses of all created beings, and being a witness, you alone, O Water, know those things which mortals do not know. accused in a judicial proceeding this mortal is immersing in you, therefore be pleased to free him from this suspicion according to law." Then the performer of the ordeal should offer a prayer to the Water thus. Waruna, protect me for truth &c." Thereafter, in the still water when another man has entered into it, and with his face towards the East was standing still at a navel-deep spot, the Chief Judge should offer worship 20 to the how together with the arrows placed near an arch high upto the ear's height and erected near the place of immersion. Then a Brahmana or a Kshatriya who has observed a fast, discharges three arrows. When, catching hold of the thigh of the man standing in the water, the performer of the ordeal takes a plunge into the water, that is one 25 period. There one strong man with a swift pace takes the first arrow. and a similar one, another taking up the middle arrow sees the performer of the ordeal still immersed. Here Pitâmaha: "Otherwise he shall not be declared to be innocent if even one limb is seen; or if he is seen to have gone to another place where first he was made to enter." (108-109).

S'ûlapâni.

Yajnavalkya, Verse 109.

Synchronously with the discharge of the arrow when a very swift · runner has gone to bring back the arrow, when he is gone, another man equally swift in pace taking up the middle arrow and when he comes back and sees the performer of the ordeal still immersed with his limbs in water, then the king should declare his innocence. Brhaspati: "Taking up the middle arrow, another man of the same calibre, returns to the

place from where the (first) man had gone, and on arrival if he does not see the man who is immersed into the water below, then his innocence should be declared, otherwise he will not be considered as innocent, even if one limb is seen."

5 Pitâmaha: "The person to discharge (the arrow) to be selected should be a Kshatriya, pure in character, or even a Brâhmana; one with a not unkind heart, quiet, and who has observed a fast and has kept himself pure." (109).

Thus ends the Ordeal by Water.

Now the Author describes the Ordeal by Poison

Yâjñavalkya, Verses 110, 111.

"O Poison thou art the son of Brahman. Thou art established in truth and virtue; clear me from this charge. Out of (regard for) truth, be like ambrosia to me." (110).

Having addressed thus, he should swallow the poison called S'arnga (or gînger) produced on the Himalaya mountains; of him by whom the poison becomes dige ted without convulsions (The Chief Judge) should declare the innocence (111).

Mitâksharā:—With the mantra, Twam vishetyādi, "O poison &c." having addressed the poison, the person performing the ordeal should, bhakshayet swallow, wisham himasailajam, poison produced on the Himalaya mountain, i. e. produced on the mountain peaks. And when such a poison when swallowed by a man is digested, vegairvinâ, without convulsions, such a one is declared innocent.

Convulsions from poison occur by the transmission of one humour of the body with another; vide the text²: "The transmission of a humour of the body into another is known as the

^{1.} আরু—A humour of the body. According to the principles of Aryan Medicine the principal humours which regulate the condition of the body are বান, (wind), দিব (biles) & ক্ষম (phlegm). A disturbance in the normal condition of any of these causes all the diseases of the body.

^{2.} Of Pitâmaha,

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convulsion of poison." The humours, moreover, are seventize. "The skin, blood, flesh, fat, bones, the marrow, and the semen". Thus the convulsions of poison would be seven also. The characteristics of these have, moreover, been mentioned in the treatise on poison Vishatantra thus: "The first convulsion from poison brings on a horripilation, and the one next to it (cause) perspiration and the dryness of the mouth; the two next following cause in the body the change of colour and violent tremour. That which is (called) the fifth convulsion brings on syncope, chocking of the throat, and the hiccough; the sixth (creates) fast breathing and coma, and the seventh causes the death of the consumer (thereof)."

Here, moreover, the worship should be offered to the God Mahâdeva, as says Nârada: "One who has observed a fast should administer (the ordeal of) poison in the presence of gods and the Brâhmanas, after having worshipped (the God) Mahes' wara by means of fragrant scents, codiments, and with mantras." The Chief Judge after having observed a fast, should worship the deity Mahâdeva, and placing the poison before it, should offer worship to Dharma and others, terminating with a sacrifice, and thereafter having placed the document bearing the complaint on the head of the person performing the ordeal should thus invoke the poison:—viz.:—"O poison thou hast been created by Brâhman for testing the wicked, (therefore O) expose the soul of the sinners, while be like ambrosia to the pureminded. O poison thou who art Death incarnate, thou hast been created by Brahman, free this man from this (charge of a) sin and become nectar to him by (regard to his) truth."

Having thus invoked, he should give it to one who is standing with his face turned towards the south; vide the text of Nârada: "To one who is standing with his face towards the South, and also in the presence of the twice-born, with his face turned towards the North, or the East, and with concentrated mind he should administer the poison."

The poison, moreover, to be taken should be the Vatsanâbha poison or the like; vide the text of Pitâmaha: "Of the vatsanâbha from the mountain heat or of a poison produced on the Himalayas."

^{· 1.} These are त्वरू, अहरू, मांस, भेद, अस्थि, मझा & ग्रुक.

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The poisons to be discarded have similarly been laid down: "Distilled poisons, as also poisons which are old, or are artificially prepared, and those produced from the earth-all these poisons should be entirely excluded". Also by Nârada1: "Purified poison, as well as poison which has been distilled, similarly, scented and mixed poison, as also the Kâlakûta and the Alâbu poison, should be carefully avoided."

The time also has been mentioned by Narada2: "Having weighed the poison which is intended (to be given), it should be administered at a time when the winter has set in. A man knowing the Dharma must not administer it) in the afternoon, nor in the twilight." In any other period, however, a less quantity than that laid down as the standard, should be given, vide the text3: "Four vavas should be given in the rainy season, and it has been laid down that five vavas should be given in the Grishma. In the Hemanta it should be seven yavas, and in the S'arad even less than that". 15less is meant six yavas. By the mention of Hemanta, S'is'ira also is included; vide the S'rûti text viz.: "By the combination of Hemanta and S'is'ira."

Since Vasanta has been regarded as a period common for (the administration of) all ordeals generally, seven 20 should be given during that season, and the * Page 70. poison also should be given after it is covered with clarified butter; vide the text of Narada4: 'Let him give to the person performing the ordeal, one-eighth less than twentieth part of a sixth part of a Pala of the poison, mixed with clarified 25butter." A Pala here, moreover, is equivalent to four gold coins. Its sixth part would be ten Masha and fifteen Yavas. Three yavas make one Krishnala, and fifteen Krishnalaks make one Masha; thus fifteen yavas make one Masha.5. In this way the (number of) yavas 30 in ten Mashas would be one hundred and fifty, and this together with the ten yavas mentioned above make up (the total of) 160 yavas-

^{1.} Ch. I 321. #g. Another reading is #g-spoiled poison.

^{2.} Ch. I. 319 and 320.

^{3.} Nárada Oh. I. 324.

^{4.} Oh. I. 323.

^{5.} दशाना is a better reading. पञ्च दशाना appears to be wrong.

this is the sixth part of a Pala. A twentieth part from this would be 8 yavas. A twentieth part less by one-eighth of this *i.e.* less by one yava *i.e.* seven yavas he should give mixed with clarified butter. The clarified butter should moreover be taken thirty times the (quantity of) poison, vide the text of Kâtyâna¹: "The poison should be administered to men² in the forenoon and in a cool place; it should be pounded and smooth, and should be mixed with clarified butter thirty times the quantity (of the poison)" *i.e.* the poison (should be) mixed with clarified butter thirty times its quantity.

The person performing the ordeal should, moreover, be protected from sorcerers &c; vide the text of Pitâmaha viz.: "The king should protect the person about to perform the ordeal from the danger of sorcerers &c. by guarding him with his own men for three or five days. He should also examine and see if there are hidden on his body any medicines, or spells, or any jewels which are effective as antidotes against poison, as also those secretly produced." Similarly the poison should also be guarded. Vide the text of Nârada³: "Poison from the mountain peak which is obtained from the Himalayas, is the best as ordained; such as has the colour, flavour, and taste, which is unartificial, not tempered, and which is not overpowered by any charms."

Similarly after the poison has been swallowed he should be watched for (an interval of) 500 claps of the hands, and thereafter should be examined, as says Nârada: "If after an interval of 500 claps of the hands he remains free from any effect (of the poison), then he is considered to be innocent; thereafter he should be examined". The interval of time however stated by Pitâmaha i. e. till the end of the day, has a reference to a small quantity of poison. "After swallowing it if he remains steady and without a swoon, and does not vomit and otherwise remains free from any effect till the end of the day, he should then be declared as innocent." Here also the procedure is as follows; the Chief Judge after having observed a fast and worshipped the God Mahâdeva should place the poison before it, and after having offered a sacrifice to Dharma and other deities,

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^{1.} Verse, 450.

^{2.} देहिनास Lit: corporate beings.

^{3.} Oh. I 322.

and placed the document containing the complaint on the head of the person wishing to perform the ordeal, should address the poison and offer it to him who is seated with his face turned towards the South; the person performing the ordeal too should take the poison after addressing it.

Here ends the Ordeal by Poison.

Viramitrodaya.

Now the Author states the ordeal by Poison

Yâjñavalkya, Verses 110, 111.

"O Poison &c.", with this verse having addressed the poison, one should eat. He, moreover, by whom it becomes digested without convulsions, of him the Chief Judge should declare the innocence. The S'arnga or ginger poison is well known as singhia, as has been said: "Having the luster of a goat's horn, blue in colour, and produced on the Himalaya mountain, pure, having the luster of ginger, of a fine yellow colour, and unsurpassed."

"The transmission of a humour of the body into another is known as the conclusion of poison." Its characteristic is, horripilation, swoon, &c. An ordeal of that.

The procedure here is this: The Chief Judge having observed 20 a fast, and worshipped Mahadeva, and having placed before Him the poison, having performed the worship of Dharma terminating with the sacrificial oblations, placing the document of declaration on the head of the performer of the ordeal should thus address the poison with this mantra: "O poison, thou hast been created by Brahman for testing 25the wicked; (therefore) expose the soul of the sinners, while be like ambrosia to the pure-minded. O poison, thou art Death incarnate, thou hast been created by Brahman; free this man from this (charge of a) sin, and become nectar to hand by (regard to his) truth." Thereafter to the performer of the ordeal with his face turned towards the South, himself with face to the North or the East, in the presence of the Brahmanas, he should give refined powdered poison mixed in clarified butter. By regard to particular seasons, particular proportions also have been mentioned in this connection by Narada1: "Having weighed 35 the poison which is intended (to be given), it should be administered at

^{1.} Ch. I. 319-320.

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a time when the winter has set in; not in the afternoon nor in the noon, nor even in the twilight, should one knowing the D arma (administer it). In the rainy season, the measure is four yavas, and five yavas have been stated to be in the Grishma; in the Hemanta, it is seven yavas, and in the Sarad, even less than that". 'Less', i.e. six yavas. Thereafter, the performer of the ordeal having addressed with the verse "O poison, thou &c." should consume it. (110-111).

Here ends the Ordeal by Poison.

S'ûlapâņi.

The Author states the ordeal by Poison.

Yajñavalkya, Verses 110, 111.

'Sārngam,' i.e., "Having the lustre of a goat's horn, blue, and produced on the Himâlaya mountain, and in the effect having the lustre of ginger, extremely cooling and unsurpassed". Having taken in the hand such poison, and addressed with the verse "O poison. &c.", and consumed in the stated quantity, one in whose case it becomes digested without any convulsion, swoon, &c., that man shall be (declared to be) innocent. In some books, the following verse is stated as to be repeated (by him), "O poison thou art the son of Bráhman established in the laws of truth; pray free me from this accusation, and by the (force of) truth be ambrosia to me." (110, 111).

Thus ends the Ordeal by Poison.

Now the Author describes the Ordeal by Kos'a

Yâjñavalkya, Verse 112.

Having worshipped the stern deities, he should 25 collect the water in which they were bathed. Then after reciting (the formula), he should make the person drink therefrom three handfuls of water.

Mitâksharâ:—Ugrân Devân, stern dities, i. e. such as Durgâ, Âditya &e; samabhyarchya, having worshipped, i. e. worshipped with the sandal-paste, flowers &c. and after having bathed tat snânodakmâharet, he should collect the water in which they were bathed. After collecting it, the chief Justice should address it with the mantra "Oh water, thou art the life of all sentient beings &c.", and putting that water into another vessel he should pâyayet

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prasrtitrayam, cause three handfuls of the water to be drunk, by the person performing the ordeal after the repetition of the mantra, "O Waruna protect me for the truth &c." This, moreover, should be done after the general procedure viz. the invocation of Dharma, the worshiping of all deities, the offering of the sacrifice, and the placing (on the head) of the document containing the complaint &c. has been observed.

Here also, the rule as to the deity to be bathed, the rule as to the procedure, as also the rule as to who is entitled to this ordeal have been stated by Pitâmaha thus: "Of that deity whose devotee he is, the water should be caused to be drunk by him. In the case of an equal regard for all the deities, the water of Aditya should be given to be drunk. The water of Durgā should be given for drinking to the thieves, as also to those who make a living upon their weapons. In the case of Durgà the tridant should be bathed, while of A'ditya, the circle should be bathed, so also the weapons of other Deities too should be bathed." This is the rule about the deîties.

The rule as to the procedure is: "In cases of trust, in all cases of suspicion, and also in a compromise—in these the Kos'a should be administered, always for the purification of the mind".

"The drinking of the Kos'a water is ordained in the forenoon for one who has observed a fast, has bathed, and * Page 71. has a wet cloth on, who is a believer, and who is free from vices." Sas'ûka is a believer. "The wise should not offer the Kos'a to the drunkard, to the, voluptuous as 25 also to the rogues, and to those who are unbelievers1. The drinking of Kos'a should be avoided in the case of great criminals, irreligious or ungrateful men, eunuchs, low Brahmanas, unbelievers, Vratyas and slaves." Mahaparadha means a great crime. Irreligious i.e. who does not observe the duties laid down for the Varnas in the several 30 stages i. e. who is an atheist. Lowborn i. e. born of a Pratiloma union. Slaves i. e fishermen. This is the rule as to the capacity of persons.

Moreover, after preparing a circle with the cow-dung, the person wishing to perform the ordeal should be seated facing the Sun, and

^{1.} Nårada I 332.

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then he should be made to drink. This is the rule to be deduced from the text of Narada.: "Having called him who has been accused, and made him seated in the centre of a circle, and with his face towards the Sun, he should be made to drink three handfuls."

It may be asked, in the case of ordeals begining with the balance and ending with the poison the decision as to the innocence or guilt is immediate, what however in the case of kos'a? so the Author says

Yâjñavalkya, Verse 113.

He on whom no calamity falls either by the act 10 of the King, or of God within fourteen days, is innocent (and) there is no doubt.

Mitâkṣharâ:—Chaturdas'ádannhaḥ, before fourteen days, yasya, on whom, râjikam, by the act of the king, i. e. by reason of the king, (or) daivikam, by the act of God, i. e. caused by God, 15 vyasanam, calamity, i. e. trouble, ghoram, dire, i. e. great; no, is not, i. e. certainly never, jâyate, falls, a minor one being unavoidable in the case of corporate beings—Sa s'uddhaḥ, he should be considered to be innocent.

If it fall after the interval there is no blame. As says Nârada¹: "If a great misfortune even should befall him after the lapse of a fortnight, he must not be harassed by any one, since the fixed period has elapsed." This text is self-apparent. The rule "within fourteen days" is with reference to serious charges, since it comes to be mentioned after the prefatory observation. "These in the case of serious charges²." The other intervals mentioned by Pitámaha, have a reference to petty charges; vide the text: "The kos'a may be administered even in a petty case." These are (as mentioned in the text³): "He in whose case a misfortune is seen

^{1.} Oh. I 331.

^{2.} See above yajn. Ver. 95 Text p. 57. 1. 25. Eng. Tr. p. 909,

^{3.} Of Pitâmaha,

within three, seven, twelve or fourteen days, is considered to be guilty." These three intervals of time have to be adjusted by dividing the amount at stake which is less than the amount of a serious charge, and by allotting the periods of three days &c. to each portion respectively.

Thus ends the Ordeal of kos'a.

Viramitrodaya.

Now the Author states the ordeal of the Kośa

Yâjñavalkya, Verse 112, 113.

Having offered worship to the stern Deities, the Chief Judge should take up the bath-water of the Deity. The sternness, moreover, has been expounded by Pitâmaha thus: "Of that Deity, whose devotee he is, the water of it should be caused to be drunk by him. In the case of an equal regard for all the deities, the water of Âditya should be caused to be drunk. In the case of Durga, the tridant should be bathed, while of Âditya, the circular halo; in the case of other deities, the weapons should be bathed".

Tasmât, 'from it', i. e. from the bath-water, prastitrayam, 'three handfuls' of water having made to trickle', he should be made to drink. Of one who has drunk the water no calamity from the king or fate, or any other difficulty such as a dangerous disease of a malignant type for an interval of fourteen days, sa sudhhah, 'he is declared innocent' i. e. becomes successful. The meaning is that on an absence of a calamity within the time limit, no suspicion can stand. By the use of the word tu, 'however', is excluded the mixture of any other water. 'He, in whose case a misfortune is seen within three nights, or seven nights, or twelve days, is declared to be guilty,' thistext of Pitâmaha has reference to accusations of a faulty or very faulty character; thus there is no contradiction.

30 Here, moreover, this is the Procedure: Having prepared a circle with the cow-dung, and having placed the performer of the ordeal with his face towards the Sun, and performing the ritual ending with the placing of the document on the head, and after offering worship to the stern dertie, from their bath-water taking three handfuls of water and having

^{1.} संस्राह्य. This is the reading in Virmitrodaya. The Mitakshara reads संशाह्य.

addressed it: "O Water thou art.....of the sentint beings &c.".....
"O Varuna, protect me by truth", he (the Chief Judge) should cause the performer of the ordeal to drink. (112-113).

Thus ends the ordeal of Kośa.

S'ûlapâni.

Now the Author states the ordeal of kośa

Yâjñavalkya, Verse 112.

Having respectfully offered worship to stern deities, and having brought their bath-water, and after repeating the offence charged against himself, with face turned towards them, he should take three handfulls of the water. Pitamaha states a special rule: "Of that deity of whom the particular man is a devotee, he should be made to drink the water. In the absence of any particular deity, he should be made to drink the water of Aditya. Within fourteen days' interval if no dire calamity from the king or fate occur to him, he should be declared to be innocent without doubt." 'Calamity,' i.e. an accident. 'Dire,' i.e. causing extreme pain. The rest is plain Pitâmaha: "If within three nights, or within seven nights, or within twice seven days, any misfortune is seen to occur to a man, such a one is a sinner." Kâtyâyana!: "If a calamity due to fate occurs within three weeks, the accused should be compelled to pay the amount, and also a fine. Not of himself only, but if it occurs to his relatives, such as a disease, fire, death of a kinsman, he should be compelled to pay the amount and a penalty. A wasting disease, diarrhœa, erruptions, pain in the palate and joints, eye disease, throat disease, and the colic pains are regarded as divine calamities for men."

Thus ends the ordeal by Kosha.

OTHER ORDEALS.

The five principal ordeals beginning with the Balance and ending with the Kos'a, have been expounded as proposed by the Lord of the Yogis.

Other ordeals have been mentioned in another Smrti having a reference to petty complaints, as says Rice. Pitâmaha²: "Now I proclaim the rule regarding the grains of rice which have to be chewed (by the party). This rice ordeal should be administered in

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^{1.} Verses 456-458.

cases of larceny, but on no other occasion whatsoever; this is certain.

Let the judge who must have cleansed himself previously, use white grains of rice, and not of any other (corn), and let him place the same in an earthern vessel in the sight of the Sun. After having 5 mixed them with water used for the bath (of the image of the Sun), he shall cause it to remain there. (In the next morning) one who has observed a fast and has bathed, on whose head the document containing the complaint has been placed, and who is seated facing towards the East, should be asked to chew the rice-grains and then 10 to spit (the same) on a leaf of the holy fig tree and of none else, and when that is not available then on a leaf of a birch tree. He whose blood issues forth, or whose chin or palate becomes rotten, or the limbs shake, must be pronounced guilty."

The Chief Judge should cause one on whose head the document containing the complaint has been placed to chew the rice grains and to spit.

The form "having caused to chew" is gerundial. The general procedure which is common to all ordeals viz. the invocation of Dharma &c. should be followed here also.

Thus ends the Ordeal of Rice.

The ordeal of the heated Mâsha has been described by Pitâmaha thus: "A circular pot measuring Heated Mâsha sixteen angulas with a depth of four angulas should be made either of gold, silver, copper, or of earth, of circular size. And the same should be filled with clarified butter or oil weighing twenty palas, and then when this is heated well, a gold mâsha should be thrown into it. He (i. e. the person performing the ordeal) should raise the heated mâsha by means of the forefinger and one or two fingers near it. He who does not shake his fingers, or on whom no boil is produced, is deemed under the law to be innocent since his hand and fingers were unaffected. By the expression "should raise" is meant simply picking up from the vessel and not "throwing out".

Another process:—" The Judge after having cleansed himself, should throw clarified butter of the cow into a golden, silver, copper, iron, or earthen Page 72. vessel, and should heat the same on fire. shall then throw into it a polished coin bearing an impression and 5 made either of gold, silver, copper, or iron. The pot (which has been heated to boiling) in which waves and circles are rolling and rising up, and which is incapable of being touched even at the nail-points (of the fingers,) he should test it by means of a green leaf (being dipped into it) and thus producing a crisping sound. And then he 10 should address it by the following mantra viz: "O clarified butter thou art the purest of all things, thou art the ambrosia at a sacrifice. Burn this man, O purifier, if he is guilty, and be as cold as ice if he is innocent." He should cause the coin lying in the clarified butter to be caught by the person (wishing to perform the ordeal) 15 who has observed a fast, and who has then bathed and has wet clothes on. The umpires should then examine his forefinger. He on whom no boils are seen is to be considered innocent. otherwise he is guilty". Here also should be observed the ceremony of invoking the Dharma &c. The address to the clarified butter is to 20 be by the Chief judge; the mantra to be addressed by the performer of the ordeal is "O fire thou art of all sentiet beings &c.'. From the text "they should examine the forefinger," the picking up of the coin is to be made by the forefinger only.

Thus ends the Ordeal of the heated Masha.

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The ordeals of the Dharma and Adharma have been mentioned by Pitâmaha thus: "Now I shall describe Dharma and the test by Dharma and Adharma in the case Adharma. of men who are guilty of assault, who are pressed for payment, and those who desire to perform the expiatory ceremony." Guilty of assault î. e. in charges of assault. Who are pressed for payment i. e. in money claims. Who desire to perform an expiatory ceremony i. e. in

^{1.} चुरुकार is the particular sound which is produced at the combination of fire and water c/o the Marathi चुर.

accusations of sins. The rule as to the image is this: "The (image of the) Dharma should be caused to be made of silver, while that of Adharma either of lead or of iron."

He also mentions Another Course: "(The images of) Dharma Adharma should be painted and in white and black (respectively) on the leaf of a birch-tree or on a cloth. Having anointed the same by means of the Panchagawya¹ he should worship them with sandal-paste and flowers. the Dharma having white flowers, while the Adharma having black flowers on." Thus anointed, the two should be placed on two balls. The balls should be prepared either of cow-dung or of earth, and should be 10 placed unseen in an earthern pot which is unbroken, and (the pot) should be placed in front of the Gods and the Brahmanas on a spot which has been washed and cleaned. Then, as mentioned before, the guardian Deities he should invoke, and after invoking Dharma, he should write the document containing the complaint.: "If I am free 15 from guilt, let the image of Dharma come up into my hand, and if I am guilty let the image of sin come in accordance with the law."-thus shall the accused address. "Then the accused shall forthwith take one of the two (images). If he takes the image of Dharma he is considered to be innocent, if of Adharma he is (considered to be) 20 defeated. Thus has been described in short the ordeal by the Dharma and Adharma."

Thus ends the Ordeal of Dharma and Adharma.

Others also viz oaths, have been mentioned by Manu² and others as being applicable according to the greater Oaths. or less value of the amount, as also having a reference to particular caste, thus: "In the case of (where the value of the subject matter is) a Nishka, there should be an affirmation on oath; in the case of two Nishkas, the touching of the feet; and for less than three, an oath by the meritorious deeds; and after that the drinking of the Kos'a water. "Let the (Judge) cause.

^{1.} पंचान्य is a special combination prepared by mixing together the five bovine products viz. milk, curds, butter, the urine, and the dung, all pertaining to a cow; and hence (it is) called पंचान्य.

^{2.} Oh, VIII 113-114.

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a Brâhmana to be sworn by his veracity, a Kshatriya by his chariot or the animal he rides on and by his weapons, a Vais'ya by his kine, grain and gold, and a S'udra by (the imprecation of) all the heinous sins."

Here, moreover, the index of the innocence has been given by Manu¹—viz.: "He who meets with no speedy misfortune, must be held innocent on (the strength of) his oath." The misfortune also has been stated above in the text2: "On whom no calamity falls either by the act of God or that of the king" The rule as to the duration of time also should be observed to be to commence from one night and to extend to three nights, commencing from the third night and extending as far as the fifth night, or of one night &c., after determining the importance or pettiness of the case in hand. The penalty also has been mentioned by Kâtyâyana3 when thus the success or defeat of a party has been determined by means of ordeals, "The innocent should be caused to be paid half of a hundred and the guilty becomes liable to punishment." He4 mentions the penalty: "In the case of the ordeal of poison, water, fire, balance, kos'a, and rice, as also in the ordeal of the heated masha, the penalty should be determined respectively as follows: -viz. one thousand, six hundred, and five hundred, four, three, two, and one hundred, respectively; the lesser form to be selected in the case of pettier offences." By reason of the text5-"When upon a denial, a claim is proved, he should pay (the amount)" &c. in which a penalty has been mentioned, this penalty under the (law of) ordeals comes to be an addition (to it).

Thus ends the chapter on Ordeals.

Viramitrodaya.

Now in the case of petty accusations, the four ordeals such as the 30 Rice and the rest, not particularly stated by the Author of the Work, are being stated. Thus Pitamaha (same as on p. 971 lines 34-35 and p. 972 11. 1-13 lines above). Here, moreover, the invocation

^{1.} Oh. VIII. 115.

^{2.} Yaj II 113 See p. 969 above.

^{3.} Verse, 459.

^{4.} Kâtyāna, Verses 460, 461.

^{5.} Yaj. II. 11. sec above p. 686. 11. 33-34.

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of the Dharma and the other procedure should be understood to be for the three (ordeals) which will be stated hereafter. Moreover, "A pot made either of gold, or of silver, or of copper, or even of earth, with a depth of four angulas and measuring sixteen angulas and of a circular shape, he should fill with clarified butter and oil weighing twenty palas, and after it is boiled to a heat, a gold masha, should be thrown into it. He should take out the heated masha by joining the thumb and a finger. He who does not shake the forefront of his hand or on whom no eruption has been produced, is deemed under the law to be innocent, since his hand and the fingers were unaffected." Mandalam, i.e. a circle; uddharet, 'take out', i.e. take outside (the pot).

Brhaspati¹: "Iron twelve palas in weight formed into shape is called a plough-share; it should be eight angulas in length and four angulas in breadth. That (plough share) having been made red-hot in fire, the thief should lick it once with his tongue. If he remains unscorched, he obtains an acquittal; otherwise, however, he loses his cause."

Pitâmaha describes the ordeal of Dharma (see above p. 973 20 ll. 27-33 and p. 974 ll. 1-22).

Now the Oaths. There Manu²: "A Judge should swear a Brahmana by the truth; a Kshatriya by his vehicle and weapons; a Vaisya by the kine, seeds and gold; while a Sudra with all the sins; or these should be made to touch the heads of their sons and wives."

25 "Should this have been committed by me, then the sin generated by the transgression of truth should be mine", thus a Brâhmana should be made to say. "Should this harm have been done by me then my conveyances and arms may become unfruitful, thus should a Kshatriya be made to declare; and so on further.

Halâyudha states the meaning of this text in substance to be thus: "This is true," thus a Brahmana should be made to affirm; a Kṣhatriya should be made to touch the conveyance and weapons; a Vais'ya should be made to touch the cow &c. and the sin which is generated by false oaths, with that he should enjoin a S'udra falsifying an oath. All should be made to do as stated before".

Brhaspati³: "Truth, a vehicle, weapons, cows, seed, and gold; the feet of the Gods or of the Brahmanas, the heads of sons or wives; these

^{1.} Ch. X. 28, 29.

are stated to be for oaths by Manu in small matters". Here, as an oath is distinct from an ordeal, there is no fasting &c., but only bathing and sipping water.

S'ankha: "The staking of the merit generated by pious and charitable deeds &c., and should also cause other oaths to be taken."

Manu²: "One falsifying an oath perishes here and after death. In connection with amorous women, in regard to marriages, in the feeding of cows, as also regarding fuel, and for protecting a Bráhmana, by taking a false oath, there is no sin". In connection with amorous women' i. e. in private, for keeping the woman pleased. In marriage' i. e. by women for the husband. For the feeding of the Cows, fuel, for the performance of the daily oblation; also for the saving of the life of a Brâhmana, a cow &c., even by a false oath, no sin is incurred. This is the meaning.

Here in the Commentary on Srimat Yajiavalkya ends the Chapter on Ordeals

S'ùla pâni.

In the course of the discussion are mentioned the Rice, &c. Here Pitâmaha: "In the case of theft the rice should be administered, and not elsewhere; this is certain. Pure rice should be caused to be prepared from paddy grains and not of any other. In an earthen pot one should place it in front of Āditya, after having purified oneself. These should be mixed with the bath water; at night he should be made to stay there. In the early dawn, it should be given to the performer, with his face towards the Sun. After chewing the rice he should be made to emit on a leaf three times. He whose blood appears to ooze, or the tooth-row is affected with pain; one whose limb gets a shake, such a one the Judge should declare as not innocent."

Now the ordeal of the Heated Masha.

One should cause to be made an iron vessel, or one of copper of 3 sixteen angulas, and of four angulas (in depth) or of earth either, of a circular shape; and should fill it with clarified butter and oil of the quantity of twenty palas; when it is well boiled, one should throw a gold

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^{1.} इटायुर्न-Pious and charitable deeds such as performing sacrifices, digging tanks, etc. see p. 806. n. 2 above.

^{2.} Ch. VIII. 112, 113

masha in it. He should take out the heated masha with the fore-finger and another finger joined together. Where neither the forepart of the hand is burnt, nor a boil appears, such a one is regarded as innocent according to law, as is the text of Pitamaha. Mandala, 'a circle'.

Now the ordeal of the Plough share—Phâla (same as in the Viramitrodaya at p. 976, above).

Now the ordeal about Dharmaja—Result of Dharma.

There Brhaspati¹: "On the leaves should be painted (the images of) Dharma and Adharama in black and white colour, (respectively). Then they should be invoked with the Mantras inducing vitality and others, as also with the Gāyatri and Samas. Thereafter one should offer worship with sandal paste, and flowers, also white and dark. Having sprinkled with the five bovine products, and enclosed in balls made of earth, having made (them) equal in size, these should be placed unobserved in a new jar. Thereafter the performer of the ordeal should take one ball out of the vessel when asked (by the Judge). If Dharma is taken, he is acquitted; otherwise he is declared guilty".

Thus ends the ordeal of Dharmaja.

Now the Oaths: Narada?: "Truth, the conveyances and weapons, cows, seeds and gold, the feet of the Deities and of the Brahmanas; and meritorious acts as may have been performed. These have been stated as (the objects for) oaths by Manu in small matters".

Also Manu³: "By the truth should a Brāḥmaṇa be affirmed; a Kṣhatriya, by the conveyances and weapons; with the cows, seeds, and gold, a Vais'ya; while a Śudra with (the imprecation of) all the sins". (113)

Thus ends the Chapter on Ordeals.

^{1.} Ch. X. 30-34.

^{2.} This is not found in Narada. But see Brhaspati X. 67.

^{3.} Ch. VIII. 173.

THE

Collections of Hindu Law Texts

(No. 8)

BALAMBHATTI.

(Sanskrit Text.)

BEING A COMMENTARY BY

Balambhatta Payagunde

on

The Mitakshara of S'ri Vijnanes'wara

on the Yajnavalkya-Smriti,

BOOK III. Prayaschittadhyaya

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धर्मशास्त्रयन्थमाला (यन्थाङ्कः ८)

॥ श्रीः ॥

श्रीमद्योगीश्वरयाज्ञवल्क्यस्मृतेः

श्रीविज्ञानेश्वरपणीतमिताक्षराज्याख्यायाः

श्रीबालंभइ पायगुण्डे इत्येतैः प्रणीता व्याख्या

ालंभद्दी

(प्रायश्चित्ताध्यायः ३)



सा चू

जगन्नाथ रघुनोथ घारपुरे, बी. ए. एटएल्. बी., हायकोर्ट वकील, विश्वविद्यालयसदस्यः,

पुण्यपत्तनस्थलाकालेजे मुख्याच्यापकः

इत्युनेन संशोधितः शकाशिता च

प्रथमावृत्तिः

(अस्य सर्वे अधिकारा राजशासनेन स्वायत्तीकृताः)

शकान्दाः १८४६ : क्रिस्तान्दाः १९२४.

पुण्यपत्तने 'आर्यभूषण ' मुद्रणालये ' अनंत विनायक पटवर्धन ' इत्यनेन मुद्रिता, मोहमय्यां ' जगन्नाथ रघुनाथ पारपुरे, हायकोर्ट-वकील ' इत्यनेन प्रकाशिता च.

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पस्तावः

धर्मशास्त्रग्रन्थमालायामष्टमांऽयं ग्रन्थोऽधुना विद्वत्सकाशं प्रकाश्यते । यद्यपि संकल्पितश्रेणि-गणनयाऽयं अर्ष्टमस्तथापि मुद्दितकालानुसारतः षोडश इति स्फुटमेव.

योगीन्द्रयाज्ञवल्वयस्मृतिटीकासु भट्टविज्ञानेश्वरिभिश्चकृता मिताक्षरा टीका धर्मशास्त्रविचारेऽतीव प्रमाणीमूता. मिताक्षराया विश्वेश्वरी—सुन्नोधिनी—प्रमिताक्षरादिटीकासु बालंभट्टपायगुंढे इत्येतैविरेचिता बालंभट्टीति लोके प्रसिद्धा टीकाऽतीव मानार्हा. तस्या अयं तृतीयो मागः प्रायश्चित्ताध्यायो विद्ध्ज्जन-समीपमधुनाऽऽनीयते. लिखितपुस्तकानां दोर्लभ्यादेतस्मिन्पुस्तके लेखकप्रमादादिना लिखितपुस्तक-स्थितान्यतीव प्रमादस्थलानि सन्ति । तानि तु पुस्तकानामभावे सुतरां दुनिवार्याणि । पुस्तकानतर-प्राप्तावयशस्वितया 'अमुद्रणानमुद्रणं वरमिति' न्यायेन सप्रमादोऽप्ययं ग्रंथः प्रकाश्यते एव । कदाचिद्दैविवशात्पुस्तकं पुस्तकानि वा प्राप्येत तदा प्रमादसंशोधनाय सूचीपत्रे यथाकालं प्रकाशयिष्यते बालंभट्टस्य वंशविस्तारादि अस्यामेव मालायां बालंभट्टी आचाराध्याय इति पंचमे ग्रन्थे बाब्गोविन्द-दासरांग्लभावायां लिखितप्रस्तावे मार्गणीयः । विस्तारस्त्वस्माभिरुद्दिष्टपर्मशास्त्राभ्यासप्रवेशिकायां करिष्यते एति शम् ।

जगन्नाथ रघुनाथ घारपुरे.

^{*} An Introduction to the Study of Hindu Law.

विषयानुक्रमणिका.

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April 1

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् (मिताक्षराच्याख्या)

प्रायश्चित्ताध्यायः

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श्रीगणेशाय नमः ॥ पूर्वसंगितिमाह । गृहस्थिति । विशेषस्य राज्ञः । गुणधर्माः पृ प्रजापिरपालनाद्यः। चेन नित्यनैमित्तिकसमुच्चयः । तद्धिकारेति तेषु प्रमित्युः । धर्मेन्युधिकारित्यर्थः। गुरुवेन द्वारेण । तेषां नित्यनैमित्तिकानां । नतु गुणधर्मा-णाम् । अत एव गृहस्थाश्रमिणामिति आदावुक्तम् । ततो विशेषिजज्ञासायाः पूर्वं सत्त्वान्मध्ये तिष्ठिरूपणमिपि कृतम् । एवं चाद्याध्यायप्रतिपाद्येनास्यापवादिकी संगतिरिति भावः । तत्रादा-वाशौचपदार्थिजज्ञासेवेत्यत आह । आशौचेति । चत्त्वर्थे । आदिना उपवीतपरिवर्त्तनादि । १० तत्सत्त्वे मानमाह । पिण्डोद्दकेति । आदिना सकलशौन्वधर्मपरिग्रहः । विध्यन्यथानुपपत्तिव-तिस्त्वे मानमिवशेषादित्याद्ग । अध्ययनेति । आदिनाध्यापनादि । पर्यु-द्वासो निषेधः पुरुषगतः । तस्यारूपत्वादाह । कश्चनेति । अत्व एवाऽऽह । अतिशय इति । अतिकम्य शेते तिष्ठतीति व्युत्पत्ये तत्पद्वाच्यो धर्मविशेष इत्यर्थः । मतान्तरं सण्डयित न पुनिरिति । न त्वित्यर्थः । कर्मिति 'नित्यनैमित्तिकादीत्यर्थः । मात्रपदेनोक्तव्यवच्छेदः । अत्र १५ हेतुमाह । अशुद्धा इति ।

"दंतजातेऽनुजाते च कृतचूडे च संस्थिते । अशुद्धा बान्धवाः सर्वे सूतके च तथोच्यते" ॥ इति मनुः (पापट)। अनुजातोऽजातदंतः । ननु किमेतावताऽत आह । अशुद्धिति । व्यवहारे तिद्विषये । अनाहितिति । अनाहिताम्यदीक्षितादावित्यर्थः । अनिधिकारमात्रेणेति तत्तत्कर्मा-निधकारमात्रेणेत्यर्थः । मात्रे इति पाठे सति सप्तमी । ननु तावताऽपि किमत आह । वृद्धेति । तेन २० या व्युत्पत्तिः । शिकंग्रहस्तिनिमित्तकत्वादित्यर्थः । शब्देति शब्दादर्थावगतेरित्यर्थः ।

नन्त्रेवमिप पारिभाषिक एव सोऽथोंस्त्वित्यत आह । किं चिति । इष्टापत्तावाह । तत्रेति । तासिन्सितीत्यर्थः । अन्यायश्चानेकार्थत्वमित्यन्यत्रोक्तेरिति भावः । किं च शुद्धशब्दवत्तस्यापि प्रवृत्तिनिमित्तं भिन्नमेवेति स्फुटमेवेत्यपि बोध्यम् ।

याज्ञवल्कीये १।२ श्लोकौ ।

अथ मूलमवतारयति । तत्रोति । प्रतिपादनीयाशौचाविषये इत्यर्थः । आद्येन सोदकादि-परिग्रहः । तावत् आदौ । ऊनेति बहुवीहिरित्याह । ऊनेति । अर्थान्मानवाच्चाह । प्रेतमिति । तस्य निसननं बाधितमत आह । भूमाविति । अवटो गर्तः । तथा च तत एव मन्वनुरोधेन ५ धातोर्निसननोपसर्जनकनिधाने लक्षणेति भावः । वश्यमाणवैलक्ष्यण्यस्य जलप्रवाहोऽपि सत्त्वात्त-त्संग्रहाय तस्यापि तात्पर्यार्थमाह । न पुनर्दहेदित्यर्थ इति ।

द्वितीयपादार्थमाह । न चेतीित । विहितेति । प्रेतोद्देशेनापीत्थर्यः । वश्यमाणमूलमेवाह । सकुविति । उदकपदमुपलक्षणमित्याह । उदकदानादीति । तस्यापि तात्पर्यार्थमाहौध्वेति । विशेषमाह । अयं चोति । उक्तप्रेतश्चेत्यर्थः । अनुलेपनं सुगन्धिचूर्णादि । आदिना पुष्पधूपादि । शिक्षमाह । अयं चोति । उक्तप्रेतश्चेत्यर्थः । अनुलेपनं सुगन्धिचूर्णादि । आदिना पुष्पधूपादि । निचयः समूहः । जनद्विवार्षिकमिति द्वे वर्षे भूत इति तद्वितार्थद्विगौ कालादित्यधिकारस्थेन " तमधीष्ट " (५११८०) इति प्रकरणे " वर्षालुक्च " इति (५११८०) भूते ठञ् । वर्षस्यामविष्यतीत्युक्तरपदवृद्धिर्लुगमावपक्षे इह चित्तवतिर्नित्यामिति लुक् तु न प्रेतत्वात् । तत जनश्च्देन कर्मधारयः । तच्च परंपरया विशेषणमिति मावः । अत्र शेषपूरणमपेक्षितं सर्वत्रोक्तमेव । यद्यप्यूनद्विवर्षः श्रुतस्तथाऽप्यलङ्कारे विधिः कृतोपनयनादिवद्विशेयः । तद्कत्तम् । अप्रगंधिति । आदिना प्रेतालङ्कारग्रहणम् । " शुचौ भूमौ " इत्यस्य व्याख्या समझानिति प्रागुक्तैव । तत्रापि विशेषमाह । अस्थीति । अस्थां संचयनं यत्र प्रदेशे तं वर्ज्ययित्वेत्यर्थः । तस्यास्थिसंचयो न कार्य इति तु नार्थः । आग्रसंस्काराभावादेव तद्पप्रप्तः । तदेतद-मिप्रत्येवोक्तं । अस्थीति । मूलैकवाक्यतयाऽत्रापि 'निद्ध्युरि'त्यस्य निसातायां भूमौ स्थाप-येयुरित्यर्थः ।

२० ननु एवं साति अरण्ये इत्यस्यासंगतिरत औह । अरण्ये काष्ट्रोति । तद्विषये कर्माणि बहुवीहिः । एवमग्रेऽपि । आचारादिप्राप्तत्वमभावाविशेषणम् । आदिना स्मृत्यन्तरपरिग्रहः । श्राद्धायभाव इति । आदिना तर्पणपरिग्रहः । यद्यप्युद्कृत्रियानिषेधेन श्राद्धनिषेधः सिद्धः तयोरंगांगिभावात् तथाऽपि तथाप्राप्तस्तिषेधो लिङ्गेनापि बोध्यते तदाह । अनेनेति । क्षिपेयुरि-त्यस्यातिकामेयुरित्यर्थः । एवेन अधिकव्यवच्छेदः । 'क्षपेतेति' पाठान्तरं तत्र उदास्येत । २५ शास्त्रचोदितव्यापारं न कुर्यादित्यर्थः । मातापितृविषयमिदम् । केचित्तु स्मृत्यन्तरदृष्टनि-सननप्रतिषेधार्थमिदं । तथा च विकल्प इत्याहुः ●

विशेषान्तरमाह स चेति । उक्तप्रेतश्चेत्यर्थः । तथा च यमगाथादिजपो दाहे निखनने च तुल्यः । अत्र वृताक्ते तेनैवाभ्यंजनं दाहे तु विशेषो वक्ष्यते

मि. ए. १६२ तत इत्यादि व्याचष्टे । तत इति । अस्येतर इत्यत्रान्वय इति भावः ।

३० पूर्णद्विवर्षः तदादिः । आङत्र मर्यादायामित्याह । पर्यन्तमिति । "अन्वेश्वोऽमात्या अधोनिवीताः प्रवृत्तशिखा ज्येष्ठप्रथमाः कनिष्ठजघन्याः" इत्याश्वलायनः (४।२।९) । गच्छेयुरिति शेषः । अधःकृतं निवीतमुपि वस्रमुपवीतं वा यैस्ते । प्रवृत्तशिखा मुक्त-शिक्षाः । यो यो ज्येष्ठः स पुरतो गच्छेयो यः किनष्ठः स पश्चादिति क्रमसिद्भव्यर्थमुभयवचनम् ।

अन्यथा सर्वज्येष्ठमात्रप्राथम्यं स्यादित्यर्थः । तदनुरोधेनाह ज्येष्ठेति । अनुव्रज्येति आर्षोक्ति-न्यूनतां निराचष्टे अस्मादेवेति । अत्र तद्विधानादेवेत्यर्थः ।

द्वितीयपद्यं व्याचष्टे । अनुगम्य चेति । गाथा अपि प्रत्यासत्तेरक्यमाच तस्मै वेत्याह यमेति । ब्रह्मभिन्नस्य सुर्वस्य ठौकिकत्वादाह । असंस्कृतेनेति । सः मृतः ।

विशेषमविरोधायाह । यद्रीति । जाते पुत्रे तत्संबन्ध्यग्निसाध्यकार्यार्थं स्वशास्रोक्तविधिनो- ५ पादीयमानारिणः जातारिणः । तेन अग्निना तस्य मिथताग्नेः अरणेर्वा । "निर्मध्यदार्राण-त्वरिणिर्द्वयोः" इत्यमरः (२।७।१९) । मात्रं कात्स्यें । तद्र्थमेवेति भावः । अत्रापि

"धृतं तैलसमायुक्तं कृत्वा वै देहशोधनं । तेनाभ्युक्ष्य गुरुं ज्ञाप्य नयेत पैतृकं वनम् ॥" इति वाराहोक्तमभ्यंजनं बोध्यम् ।

लौकिकामौ विशेषमाह । **लौकिकामिश्चोति । अमेध्यामि**र्षृष्टामिः । सूति- १० कामिस्तत्संबंध्यमिं । एवं सर्वत्र । एते कदाचिदपि न शिष्टग्रहणयोग्या इत्यर्थः ।

तूष्णीं अमन्त्रकं विशेषविहितयमस्कादिजपवर्जम्। इदमापि दाहपक्षे। निसननपक्षे त्वौर्ध-देहिकमेव न । उक्तमूळवाक्यात् । यद्यपि तत्रोदकमित्येवोक्तं तथापि आद्यत्वाच्च तद्ग्रहणं सर्वप्रेतिक्रयोपळक्षणतयाऽऽचार्येण व्याख्यातं शिष्टसमाचाररीत्या उक्तमनुवाक्यादितश्चेति भावः। एवस्तद्वचवच्छदे । एवमग्रेऽपि। स च व्युक्तमेण बोध्यः । केषामित्याकाङ्क्षायामाह । सर्वेषा- १५ मिति । भूतार्थकनिष्ठाळ्यमाह । चौळकमोत्तरोति । अन्यत्रापीत्यस्य व्याख्या नामेति । ततः पूर्व तत्रवेति भावः । अपिना क्रियमाणचौळपरिग्रहः । न स्वेच्छामात्रमिच्छेत्याह । प्रेतेति । त्र्ष्णीमित्यस्यानुषङ्गादाह । तूष्णीति । इच्छयेत्यस्य व्यावर्त्यमाह । नियमेनिति । तत्फळितमाह । इति विकल्प इति । तत्रेति भावः । अत्र उक्तिष्ठये । विशेषः पूर्वीकोऽन्यश्चेत्यर्थः । नाजीति । अत्र त्रिवर्षन्यूनस्य निषेघो न चतुर्वर्षादेः । अत एव नात्रिवार्षादेरिति पाठन्तरैकवाक्यतां भवति । यश्चान्तरमाह जातेति । संख्यापूर्वत्वाभावाद्यादेशो न ।

यद्मप्ययं पक्षो वित्तक्षयकरः प्रयाससाध्यश्चेत्यत्राप्रवृत्तिरेव सर्वेषामिति नायं वाच्य-स्तथापि नैमित्तिकस्यावश्यकर्तव्यतया प्राप्तो निषधेन तद्भावे बोधितेऽकरणे विध्यतिक्रमा-भावेऽपि प्रेतोपक्रोरेच्छायां कार्यस्तेन तद्वपकारसंपत्तेरिति न विधिनिषधयोरसामअस्यम् ।

शाखदाह । उदकेति । विरोधमनयौर्व्यवस्थया परिहरति । नात्रीति । तन्न्यूननिषेधादि-२५ त्यर्थः । वर्षत्रयादृष्ट्वं वर्षत्रयमारभ्य उत्कर्षस्तस्याः प्रवृत्ततृतीयवर्षतः । स च द्वेषा अग्रेकरणेन प्राक्करणेन च ।

तत्राधे उक्त्वा द्वितीये आह । लौगाक्षीति । वर्षत्रयात् वृतीयवर्षात् । तथा पाठस्तु युक्तः । एवं अपिस्तत्समुचायकः । तयोः अग्न्युद्कदानयोः । ऊनद्विवर्षमिति मूलेन सामान्य-प्राप्तदाहापवादत्वेन तस्य तास्मिन्विहिते पूर्णिद्विवर्षादारभ्य दाहप्राप्तो वृतीयेऽपि मनुना ताम्निषेध- ३ • द्वारा निस्तनने विहिते तदूर्ध्वमक्रुतचूडस्यापि सामान्यप्राप्तो दाह एव लौगाक्षितोऽपि सर्वेषा- मित्युक्तया ऊनद्विवर्षस्थापि कृतचूडस्य निस्तनवाधेन दाह एव भवति इति भावः ।

यत्तु प्राच्यैरत्रिवर्षस्येत्यस्याप्रविष्टवृतीयवर्षस्येत्यर्थेनोनद्विवर्षविषयतैवोक्ता तन्न । त्रिवर्षपदा-त्पूर्णत्रिवर्षस्येव प्रतीतेरनुशासनादिसिद्धत्वात्। तावताऽपि पूर्णद्विवर्षलामेऽपि तस्यालामाच। न च "नास्य कार्य" इति प्रागुक्तमनोरूनद्विवर्षस्य दाहानर्थक्यामिति वाच्यम्। ऊनद्विवर्षस्य तद्भिन्नस्य च सत्यपि पक्षद्वये आद्यस्य निखननपक्षो मुख्यः तद्दन्यस्य च दाहपक्ष इति मुख्यानुकल्प-५ वैषम्यद्योतनार्थत्वाचुल्यवद्विकल्पे क्लेशाधिक्येनाद्यस्यापि दाहस्यैव मुख्यत्वे सर्वस्मृतिषु निखनन-विधौ क्रतद्विवर्षग्रहणवैयर्थ्यापत्तेः। बाह्मेऽपि स्पष्टमेवाद्यस्य तस्यानुकल्पत्वमुक्तम

> ''अनतीतद्विवर्षस्तु प्रेतो यत्रापि दह्यते । अतिमोहाभिभूतैस्तु देशसाधर्म्यमार्दवात् ॥ ''आशोच ब्राह्मणानां तु त्रिरात्रं तत्र विद्यते" ॥ इति

अत एव चात्र मानवेऽपि (५।७२) जातदन्तेत्यादिप्रतिप्रसवविधिद्वयं जातदंतस्य दाहोऽनु-१ • कल्पः कृतनाम्नस्त्वत्यन्तानुकल्प इति चोतकतया सार्थकम् । अन्यथा जातेत्याचस्यानर्थक्यात् । यत्तु स्त्रीपुरुषविषयत्वं तद्द्वयस्येति तन्न। मानाभावात्पुंस्त्वावरोधाच्च।तस्मान्निस्तननविधौ दाहादि-निषेधे चोनद्विवर्षग्रहणस्य नात्रीति मानवोक्तान्तरार्थत्वात्पूर्णद्विवर्षस्यापि तृतीयवर्षसमाप्ति-पर्यन्तं निस्तननपक्षोऽप्येवोति दिक् ।

उपेतश्चेदित्यादि न्याचष्टे । उपेत इति । धातूनामनेकार्थत्वात् । शूद्रस्तु वस्रद्वयग्रहणयोग्य-५५ कालिक उपनीतसदृशः । तच द्वादशादिषोडशवर्षमध्ये । आवृत्पदार्थमाह । दाहेति । अनितप्रस-द्वायाह । स्वस्वेति । शेषानुकेः प्रत्यासतेश्चाह । लौकिकेति । प्रवेन संस्कृताग्निनिरासः । इद-मिप जातारण्यभावे । अर्थशब्दो नाभिधेयादिपरः । कियाविशेषणं चैतदित्याह । अयमर्थ इति । यस्य पदार्थस्य दाहे साध्ये द्वारमुपायभूतं कार्यक्तं अवश्यकर्तव्यक्तपं क्लप्तमित्यनेनादृष्टानिरासः । २० भूमिजोषणप्रोक्षणादीति । भूमिजोषणं खननाद्दिना तच्छोधनम् । आदिना दक्षिणप्रवणता-लुप्तातिलुप्तदृष्टप्रयोजनमित्यर्थः । प्रयोजनमासाद्नं लौकिकाग्निनेव । तदेवं द्रद्वयन्नेतस्य फलान्तर-मिप सविशेषमाह । तथेति । उपनीतेति पूर्वान्विप । अत एवाऽऽह अनाहीति । अपहतेति । लुप्त-द्वष्टर्यर्थः । अपिना गार्हपत्यादि । अपिना गृह्याग्निः । इति अर्थसमाप्तौ । तथा च लुप्तप्राकृत-प्रयोजनं प्रत्याद्वातमिप न कार्यमिति भावः ।

- 14 ननु द्वितीयाग्निविधिर्न मूले उक्तः । अत आह । अग्न्यन्तरेति । लौकिक्नाग्निभिन्नस्वस्व-गृह्यायुक्तेत्यर्थः । चेन तस्यापि संग्रहः । आहिति भूतकालिकाधानसंस्कारविशिष्टाग्नि-मानित्यर्थः । चेन तस्यापि सङ्ग्रहः इत्यर्थः । नमःसादृश्यार्थकत्वात् । त्रिभिः श्रौतैः । अनेति । औपासनाग्निमान् । एकेन गृह्याग्निना । अपरः तदुभयभिन्नः । अत्रेदं बोध्यम् । आहिताग्निवत् उत्सृष्टाग्नेविंच्छिनाग्नेविंधुराग्नेध्वापि नेताग्निभिरवदाहः ।
- "योऽनाहिताग्निस्त्सृष्टाग्निर्विच्छिनाग्निर्विधुराग्निर्वा गर्मायेत न तमन्येन त्रेताग्निभ्यो दहन्तीति विज्ञायतेति । तयोर्यः पूर्व क्षियेत यजमानः पत्नी वा तस्याग्नित्रेतायां पितृमेधः संपद्यते । यः पश्चात्तस्योपासने सहैव प्रेते सहैव पितृमेध" इति भारद्वाजसूत्रात्तथा च विछिन्नाम्यादे- भारद्वाजसूत्रोक्तरीत्या अम्युत्पत्तिं कृत्वा दाहः कार्यः । आहिताग्निपदेन तु न विच्छिन्नामयादे-

र्ग्रहणम् । अशब्दार्थत्वात् । अत एव भारद्वाजसूत्रे चतुर्णां भेदेनोपादानं कृतम् । अनन्तरं " यजमान एवाग्रयः " इति श्रुत्या यजमानस्य अग्निरूपत्वेन स्तुतिः क्रियते इति नै सावि अधिकाराभावेन तत्सत्त्वेऽपि आलस्यादिना वाऽग्रेरभाववानिति यावत् । इदमपि जातारण्यभावे । तत्सत्त्वे तुं स एव कृताधानश्चेत् विशेषमाह ।

न चेति । नापीत्यर्थः । आदिना तदुपयोगिषृतित्रुकुशिष्टादिसंग्रहः । एवं वचनेति । ५ यस्येति तादुर्थ्यस्य शेषत्विववक्षायां षष्टी । यद्र्थमानयतीति च्छन्दः । हिनिश्चये । स च आहर्त्ता शृद्ध्य । तथा च प्रेतत्विनवृत्त्यर्थं कर्ममात्रं तेन कृतमिष शास्त्रीयं नेति प्रेतत्व-निवर्तकं नेति तस्य तिन्नवृत्त्यर्थं पुनर्यथासंभवमस्थिपर्णशरदाहपूर्वकं सर्वं कर्तव्यमिति भावः ।

अन्यद्प्याह । तथेति । न स्नपते पठयममेवाह । प्रेतिमाति । गन्धैः । भूषितामिति शेषः । यथासंभवमेषां क्रमो बोध्यः । पुत्राद्यैः कार्यमिति शेषः । तथा चार्थे । तत इति पाठान्तरम् । १० किञ्चिद्र्थमाह । शवेति । ब्राह्मेऽपि

"द्रिद्रोऽपि न द्रश्वव्यो नग्नः कस्यांचिदापिद् । केनापि वस्त्रखण्डेन छादितव्यः प्रयत्नतः॥ "यत्र तत्र भवेद्दुःखी यदि नग्नस्तु दह्यते । निःशेषस्तु न द्रश्वव्यः शेषं किश्चित्त्यत्यजेत्ततः"।।इति ।

ततः शवच्छादवस्नात् । स्वेषु समानजातीयेषु । नाथयेन्विहीरयेत् । हारयेदिति पाठा-न्तरम् । हि यतः । शूद्रसंस्पर्शदूषिता सा आहूतिरस्वर्ग्या स्यादित्यर्थः । आहुतिरिति प्रचुरसर्व- १५ संमत्पाठे तु दाहयेदिति तदर्थं इति मेधातिथिः । तथापाठेऽपि तथाहरणपूर्विका स्वकर्तृका आहुतिर्दाहरूपाऽप्यस्वर्ग्यण न तस्य तथैवार्थ इति आचार्याशयः । अस्वर्ग्यत्वमुपलक्षणमित्याह आदीति । विष्रग्रहणं च द्विजोपलक्षणम् । तथा च विष्णुः । "मृतद्विजंन शूद्रेण हारयेत्र शूद्रं द्विजे " न इति (१९११-२)

तथा च क्षत्रियवैरुययोरिप शूद्रस्पर्शनोष एवेति बोध्यम् । ''स्थापयन्त्यनिस प्रेतमेकाग्निं चटकादिषु । शिविकार्यां विमाने वा प्रचेतोवचनादिति॥'' इति ।

शिविकादिनाऽपि वहनविधानात्तस्य च साक्षात्स्पर्शे विनापि संभवात्साक्षात्परंपरासाधारण्येन तस्य दोषत्वं । स्पर्शस्य प्रायिश्वतं चात्र शूद्रसंस्पर्शति अस्पृश्यस्पर्शवद्सयैव
हेतुत्वोक्त्या तद्पनयनमेव । तच्च सूतिकायां मृतायां व्वित्यादिना सूतिकामरणोक्तप्रकारणेवाप्येकमन्यतोऽवगन्तव्यं । मनुरेवाऽऽह । दक्षिणेनेति (५।९२) । अत्र यैथा २५
योगमित्यनेनोक्तस्य क्रमंस्यानुलोमप्रतिल्लेमविशेषापेक्षायामुपस्थितिकमनिबन्धनस्यानुलोमकमस्यैवौत्सर्गिकत्वात्पूर्वार्द्वीपस्थितशूद्वेण चाव्यवधानाद्वैश्यस्यैव वर्णावधित्वसादृश्यादुत्तरावधिभूतेन
पूर्वावधिभृत्वब्राह्मणस्यापि प्रथमोपास्थितिसंभवेन शूद्रोपकमस्य प्रतिलोमकमानियामकत्वाद्वाद्व्याह्मणादिक्रमेणेव पश्चिमाद्यन्वय इति केचित् । मेधातिथिमदनपारिजातादृयस्तु
यथायोगमिति वैश्यादिप्रतिलोमक्रमेण शूद्रोपक्रमेणाव्यवधानाद्वैश्यस्यैव प्रथमोपास्थितत्वादत एव ५०
स्वाशयप्रकाशनार्थमादौ शूद्र एवोपात्तो वचनेऽन्यथा शूद्रोपक्रमोक्तिरिमिप्रायत्वापत्तरसङ्गलत्वेन
तद्मिभानेऽत्रापि प्रातिलोम्यस्यैव युक्तत्वात् तथा च वैश्यादिक्रमेण पश्चिमाद्यन्य इत्याहुः ।

2 6

देवदासप्रकाशे तु "प्रागुदक्पश्चिमद्वारैः" इति पाठ उक्तस्तद्प्रतिलोमान्वयेऽपि न दोषः । अञ्चाचार्यस्तूदासीनो विशेषानुकेर्यद्यपि तथापि तद्भिमतं मेघातिथ्याद्युक्तमेव । युक्तं चैतत् । अत एव शूद्रोपक्रमः । अन्यथा तदसङ्गतिरेव । तस्यामङ्गलत्वेऽपि शूद्रस्यामङ्गलत्वा-भावात् । अथामङ्गलत्वं तदादावुत्कृष्टेन वाच्यामित्याशयस्तर्द्याग्रेऽपि स केन दण्डेन वारितः । किं च तथासति पूर्वाद्धांतरार्धयोर्व्यत्यासेनैव पाठः कृतः स्यात् ।

किं च केचिन्मते यथायोगमिति यथासंख्यामिति वा व्यर्थमेव स्यात् । ज्ञूद्रोपक्रमस्य तन्मतेऽप्युक्ताशयत्वेनाग्निद्धिज्ञातपदस्य तथाक्रमेणैव तेषु शक्त्या तुल्यसंख्यत्वेन लोकादिप्रसिद्धयथा-संख्येनैवान्वयसंभवादत एव कर्ममात्रे पूर्विद्देशः प्राशस्त्यमदृष्टजनकत्वं च संग्रहीतं भविति । १० एतेन वृतीयमतमपि निरस्तम् । एवं च तदनुयायित्रिंशच्छ्लोक्याद्यश्चिंत्या एवेति परे । अत्र पुरग्रहणं संभवतद्वारग्रामादेरप्युपलक्षणम् । तथा च यत्रानेकद्वारसंभवस्तत्रायं नियमः । यत्र तु द्वाराभावस्तत्रापि दिङ्मात्रनियमः संभवतस्त्यागायोगात् । यत्र त्वेकद्वारता तत्रासंभवात्र सोऽपि । तत्रैव विशेषान्तरमप्याह । तथिति । अत्र मृतादिग्रहणाज्जीवतो नयने न कोऽपि नियम इति बोध्यम् । यदा त्विति बहुदूरस्थत्वेनाग्निसांनिध्यासंभवादिति भावः । किंचिद्रूरस्थत्वेन न लभ्यते १५ इति । लाभे तु तदेव दग्धव्यम् । तथा च ब्राह्मे

"आहिताग्नौ विदेशस्थे मृते सित कलेवरम् । निधेयं नाग्निभिर्यावन्तदीयैरिप गृह्यते ॥ • "तावत्कालं दक्षिणाग्नेः कुशैरास्तीर्य वेदिकाम् । अधोमुर्सीं च सिमधं धारियत्वा पिधानकम् ॥ "परकीयेन वत्सेन दुग्ध्वा तां गां च तङ्गृहे । गोक्षीरेणाथ तेनैव जुहुयादिग्नहोत्रकम् ॥ "पश्चादिग्निसमासेव्य यज्ञभांद्यानि तान्यपि । उपयच्छेत विप्राय ततो दृषदमेव हि ॥ "मथित्वाऽग्निप्रणयनं कृत्वा तत्कृणपं दृहेत् ॥" इति

पर्णशरैरिति। पर्ण पठाशस्तस्य शराः पर्णत्रयवृंतानि तात्रितयनिर्मितं प्रतिरूपकमित्यर्थः। इदमुपठक्षणं कुशानामपि। आदिना आश्वळायनादिपरिग्रहः। तथा च स्वस्वशाखोक्तमार्गणित्यर्थः। अत्र अस्थिसंस्कारे पर्णशरसंस्कारे च। आदिना द्वादशाहादिपरिग्रहः। पवस्तसुल्यत्व-प्रदर्शकः। अत एवाऽऽह। आहिताग्निरिति। श्रौताग्निमानित्यर्थः। यदा कदाचिद्दाहेऽपि दाहदिनादारभ्येव सर्वेषां सपिंडानामिृति भावः। इदमुभयमग्रे व्यक्तीभविष्यति। तदाह शववादिति। अनेन दुहित्रादीनामपि तिद्दनप्रभृत्येव स्वस्वाशोध-मिति सूचितम्। एवं च पूर्वोक्तमुपठक्षणं बोध्यम्। यद्यपि पूर्वक्रतायाः शरीप्रतिकृतेलौकिकत्वा-त्संस्कारत्वाभावस्तथाऽपि संस्कारतृत्यकार्यत्वात्तत्त्वविवक्षया तद्येक्षया प्रतिकृतिदाहस्य पुनः-संस्कारत्वोक्तिरिति केचित्। पुनः पश्चात्। आश्विठाभोत्तरं तिनश्चयोत्तरं वा। तदन्यतरस्य कंस्कारमित्यर्थ इति परे। अनेन विसिष्ठेनोक्तस्य तत्परत्वं सूचितम्। अत एवाह। अनादिताग्ने-स्त्विति। श्रौताग्निमद्विन्नस्य स्मार्ताग्निमद्दाहस्त्वत्यर्थः। ब्राह्ममाह। सुपिष्टैरिति।

"अनाहिताभेर्देहेषु दाहो गृह्याभिना द्विजैः । तदलाभे पलाशानां वृंतैः कार्यः पुमानि ॥
"श्रतेश्विभिः षष्ट्यिषकैः शरवृंतेविधानतः । विष्टितव्यस्तथा यत्नात्कृष्णसारस्य चर्मणा ॥
"ऊर्णासूत्रेण बध्वा तु प्रलेप्तव्यो यवैस्तथा" ॥ इत्यादिः । तथा च सुपिष्टैरित्यस्य पूर्वान्ययः ।
मंत्रमाह । असाविति । पर्णशरिमत्यस्थ्रामुपलक्षणम् । अत एव छंदोगपरिशिष्टम्
"विदेशमरणेऽस्थीनि आहत्याभ्यज्य सर्पिषा । दाहयेद्वर्हिषाऽऽच्छाद्य पात्राण्यासाद्य पूर्ववत् ॥ "
"अंस्थ्रामलाभे पर्णानि शकलान्युक्तयाऽऽवृता । दाहयेद्वर्श्यिसंख्यानि ततः प्रभृति सूतकम्॥"इति।
पवस्य त्रिरात्रस्य व्यवस्था त्वये व्यक्तीभविष्यति । स्पष्टं चेदं कल्पतरौ । तथा हि
"अस्थीनि चेन्न लभ्यन्ते प्रोषितस्याग्निहोत्रिणः । पलाशपत्रवृंतानां षष्ट्याधिकशतत्रयम् ॥
"कृष्णाजिने निराकारं कृत्वा वेष्ट्याजिनेन तु । ऊर्णासूत्रेण बध्वेव यविष्टैः प्रलेपयेत् ॥
"निर्दिश्य देवदत्तोऽय नाम्नेत्याहाश्वलायनः । अंक्त्वाज्येन दहेत्कृत्वा मृद्दिग्यं स च सार्थतः"॥इति। १०
यविष्टलेपोत्तरं मृदाऽप्य।लिप्य दग्धस्थाने नीत्वा दग्धां मृदं संचिनुयादित्यर्थः ।
अथास्य वृंतिविभागः

''अज्ञीत्यर्द्धं हिारःस्थाने ग्रीवायां दज्ञ योजयेत् । उरिस त्रिंशतं दद्याद्विंशतिं जठरे न्यसेत् ॥ "बाहुभ्यां तु[ं]शतं दद्याद्यादङ्गुलिभिर्दश" ॥ तृतीया सप्तम्यर्थे । ५ द्वादशार्थ वृषणयोरष्टार्थ शिश्र एव तु । जानुभ्यां तु शतं द्यात्रिंशतं जानुजंघयोः ॥ 94 ''पादांगुलीषु दश्या एतत्प्रेतस्य लक्षणम् । नालिकेलं शिरःस्थाने तुवं (षं?) द्याच तालुके ॥ ''पञ्चरत्नं मुखे दद्याञ्जिह्वायां कदलीफल । अन्त्रेषु नालकं दद्याद्वालकं घाण एव तु ॥ ''वसायां मृत्तिका दद्याद्गोमूत्रेण तु मृत्रकम् । गंधकं धातवो देया हरितालमनःशिला ॥ ''पारदं रेतसःस्थाने पुरीषे पित्तलं तथा ी मनःशिला तथा गात्रे तिलकल्कं च सन्धिषु ॥ ''यविष्टं तथा मांस मधुशोणितमेव च । केशेषु च जटाजूटं त्वचायां च मृगत्वचम् ॥ २० "कर्णयोस्तालपत्रं च स्तनयोश्रेव गुञ्जिका । नासायां शतपत्रं च कमलं नाभिमंडले ॥ ''वृंताकं वृषण द्वे द्वे हिंगे स्याद्वृंजनं शुभम् । घृतं नाभ्यां प्रदेयं स्यात्कौपीने च त्रपु समृतम् ॥ ''मोक्तिकं स्तनयोर्मूर्व्नि कुंकुमेन विलेपनं । कर्पूरागरुधूपेश्च शुभैर्माल्यैः सुगंधिभिः ॥ "परिधाने पृहसूत्रं हृद्ये रुक्मकं तथा । ऋदी वृद्धी उभी द्वौ च चक्षुभ्यी च कपर्दिकौ ॥ ४५सिंदूरनेत्रकोणेषु तांबूळायुपहारकैः। सर्वीषधियुतं प्रेतं कृत्वा पूजां यथोदिताम् ॥ २५ ''सामिकेनापि विधिना यज्ञपात्रं न्यसेत्क्रमात्। 'शिरो मे श्रीः पुनंतु मां' 'इमं मे वरुणेति' च॥ ''प्रेतस्य पावनं कृत्वा शालिग्रामशिलाजलैः । विष्णुमुद्दिश्य दातव्या सुशीला गौः पयस्विनी ॥ "तिलालोहं हिरण्यं च कार्पासं लवणं तथा। सद्यधान्य क्षितिं गां च एकैक पावनं स्मृतम्॥ "तिलपात्रं ततो दत्वा पट्टदानं तथैव च । ततो वैतरणीं दत्वा सर्वाभरणभूषिताम ॥ "कर्तव्यं वैष्णवं श्राद्धं प्रेतमुक्तार्थमात्मनि । प्रेतमुख्यं ततः कुर्योद्धृदि विष्णुं प्रकल्य च ॥ "ओं विष्णुरिति' संस्मृत्य प्रेतं तं विष्णुमेव च । अग्निदाहं ततः कुर्यात्सूतकं च दिनत्रयम्"॥इति ।

प्रागुक्तसर्वचनैकवाक्यतया सिद्धम् । मूलस्य निर्गलितार्थमाह । ततश्चिति । सर्वैकवाक्यत्वा-चेत्यर्थः । प्रवेन दाहानिरासः । अत एवाऽऽह । न चोदेति । नापीत्यर्थः । ततः नामकर-णात् । ततः तृतीयवर्षात् । वर्षत्रयात् तृतीयवर्षपूर्तेः प्रागिष तृष्णीमेवेत्यनुषंगः । स्नौकिकेति । जातारण्यभावे इति शेषः । यद्यप्यत्र व्याख्याताऽग्न्युद्कदानमात्रं प्रतीयते तथाऽपि "असंस्कृता-५ नां भूमौ पिंडं द्यात् संस्कृतानां कुशेष्विति" प्रागुक्तसगुणविधेः पिंडदानमपि । तथा

"द्वादशाद्वत्सरादर्वाक् पौगण्डमरणे सित । सिपंडीकरणं न स्यादेकोदिष्टानि •कारयेत्" ॥ इति देवलात्सिपंडीकरणं विना तत्प्राग्मावि सर्व कार्यम् । अत्र च पूर्वावध्यपेक्षायां येद्यपि

"चूडाकर्मणि संज्ञाने विपत्तिस्तु यदा भवेत् । स्तकांते प्रकर्तव्यं वृषस्योत्सर्जनं तथा ।

"तत्र दाहः प्रकर्तव्य उद्कं तत्र निश्चितम् । श्राद्धानि षोडशापि स्युः सपिंडीकरणं विना"॥

• इति देवयञ्चकोदाहृतवचनाद्धरद्त्तेनौध्वदिहिकोपलक्षणतया व्याख्यानात् उद्कग्रहणकात् "उद्क-दानं सपिण्डैः कृतचूडस्येति " (अ. १४ स्. ३१) गौतमस्त्राच्च चूडाया एव पूर्वा-विधत्वं प्रतीयते तथापि लौगाक्षे मानवे चोदकदानस्य दाहसाहचर्यावगमेन 'नात्रिवर्षस्य'-त्यत्र तस्योपलक्षणत्वेन च दाह एव पूर्वाविधिरिति बोध्यम् । देवयाज्ञिकानिबंधे तु दंतजनना-द्वाङ्मृते दुग्धदानं सवयोभ्यः । चौलाद्वाक् पायसक्षीरवस्त्रादिदानं तेभ्य एव निस्ननं चोभ-१५ यत्र तद्व्वं पंचवर्षसमाप्तिपर्यन्तमग्न्युद्कं पिंडदानमात्रं तेभ्य एव भोजनादिदानं तद्व्वंमुपनयना-त्सिपंडीकरणवर्जं सर्वमित्युक्तं । वचनानि च तत्रोक्तानि । यथा हि

"गर्भे नष्टे किया नास्ति दुग्धं देयं शिशौ मृते । परं च पायसं क्षीरं दद्याद्वालविपत्तितः ॥ "एकादशद्वादशाहवृषोत्सर्गविधिं विन्ना । महादानविहीनं च कुमारे कृत्यमाचरेत्" ॥ इति तथा

२० ''यत्र प्रमीयते बालस्तत्र प्रायः प्रदीयते । किंचित्समावयोज्यं तत्कृत्यात्रं तु यथाविधि ॥ ''भक्ष्यं भोज्यं च दातव्यं तथा च सुस्तभिक्षका । तद्वस्त्राणि प्रदेयानि सोपानत्कानि तत्समे''॥इति अत्र बालग्रहणं कुमारस्यापि उपलक्षणम् । ''कुमाराणां च बालानां भोजनं वस्त्रवेष्टन-मिति" तत्रैवोक्तेः । तथा

"भूमिनिक्षेपणं बाले आवर्षद्वयमाशिखम् । ततःपूरं खगश्रेष्ठ देहदाहो यथाविधि"॥ इति प्रथमवर्षकृतचूडस्यापि निखननविनित्तार्थम् । आशिक्षिमिति उपनीतकालादौ करिष्यमाणचूड-स्यापि तदर्थम् । आवर्षद्वयमिति । तथा

"शिशुरादन्तजननाद्वालः स्याद्यावदाशिखम् । कथ्यते सर्वशास्त्रेषु कुमारो मौंजिबंधनात्" ॥ इति अत्र यद्यप्यामौंजिबंधनादित्युक्तं तथापि पूर्ववाक्यानि पंचवर्षपर्यन्तमेव प्रवर्तते तद्ध्वे तु

"पंचवर्षाधिके बाले विपत्तिर्यदि जायते । वृषोत्सर्गादिकं कर्म कर्तव्यं उदकं ततः ॥
 "अहन्यहिन संप्राप्ते कुर्यात् श्राद्धानि षोडश । पायसेन गुढेनैव पिण्डं द्याद्यथाक्रमम् ॥
 "उदकुंभप्रदानं तु पट्टदानानि यानि च । भोजनानि द्विजे द्यान्महादानानि भक्तितः ॥

"दीपदानानि यत्किंचित्पंचवर्षाधिकं सदा। कर्तव्यं तु खगश्रेष्ठ व्रतार्वाक् प्रेततृप्तये ॥
"स्वाहाकारेण वे कुर्यादेकोहिष्टानि षोडरा। ऋजुद्भैंस्तिछैः शुक्तैः प्राचीनावीति निश्चितम्"॥इति।
प्राचीनावीति यथा स्यात्तथा येषामपि षोडराश्राद्धपर्यतं सर्वं क्रियते तेषामपि सपिंडीकरणाभाषात्सांवत्सिरकादीनि न भवंत्येव। तद्भावे तदेवतात्वापादकपितृत्वाभावात् । यतिवच्च
तिह्देनेव तत्संपत्तौ प्रमाणाभावात् । स्त्रीणां तु कृतचूडानामपि आपरिणयादुदकदानादिवैकित्पकं ५
"तत्स्वीणां चैकेंऽप्रतानामिति" (अ.१४ सू. ३२।३३) गौतमस्त्र्वात्। शूद्राणामप्येवं "स्त्रीशूद्राश्च
सधर्माण" इत्युक्तेरिति दिक् ॥ १ ॥ २ ॥

याज्ञवल्कीये ३ श्लोकः।

मुले वा आ अपीति छेदः । स च मर्यादायां । तदार्वागिति । तत्पर्यतमित्यर्थः । विवसाद्वा दिवसाद्पि वा । पित्रित्यस्य व्याख्या दक्षिणेति । गत्यर्थकेण धातना १० जहत्त्वार्थलक्षणयाऽभ्युपगमनपूर्वकमुद्दकदानमुच्यते इत्याहाभ्युपगमनेनेति । तद्र्थकेने-त्यर्थः । अनेन शक्यार्थ उक्तः । संबंधमाह । तत्प्रयोजेति । वैशिष्यं विशेष्यतानिरूपितप्राकारतासंबंधेन बोध्यम् । अनुपपत्तिरूपबीजमाह<mark>ैवं मातेति । अनन्तरं</mark> अन्यवहिताग्रिमश्लोके । अत एवाभ्यपगमप्रयोजनत्वविशेषेऽपि न स्नाने लक्षणा । आवश्यकोदक-दानरुक्षणयेवानुपपत्तिशांतेः । म्नानरूपांगानुक्तिस्तु पाषाणायनुक्तिवदुपपन्ना । तथा च 'अपेति' १५ : मंत्रस्य दक्षिणामुखत्वस्य चोद्कदानेनैवान्वयः । ठक्ष्यशरीरमध्ये स्नानानिवेशेऽपि प्राधान्यात्तस्य तेनैवान्वयो न तु स्नानेन । एवं च "अप नः शोशुचद्वमिति" "दक्षिणामुखा निमज्जतीति" (३। १०।१९–२०) पारस्करान्मंत्रे शेषि विकल्पः । समुच्चूयो वाऽस्तु । न तु तदनुरोधादत्र स्नाना-न्वयः। उदकदाने दक्षिणाम्खत्वं च ब्राह्मणार्वषयमिति न वश्यमाणेन विरोध इति भावः। केचित्र अभ्युपगमनपूर्वकोदकदाने रुक्षणया सप्तमाद्दिशमाद्पि वा पुरुषाद्वीक् ज्ञातयोऽपोभ्युपयन्ति । २० उद्कसमीपं गत्वा तत्र स्नात्वोद्कं प्रयच्छन्ति। स्नाने च मन्त्रे पितृदिङ्मुखत्वान्वयः। उद्कदाने तु वक्ष्यमाणी नामादियुक्त एव मंत्रो वर्णभेदेन दिङ्नियमश्चातो न विरोधः। सिद्धांते तु समंत्रो वक्ष्य-माणविधेरप्रेति मन्त्रान्तरं ग्राह्यः। अत एव पारस्करः (३१९०।१२-२०) ''संयुक्तं मैथुनं याचेरन्नुद्कं करिष्यामहे इति। कुरुध्वं मा चैवं पुनरित्यशतवर्षे प्रेते। कुरुध्वमेवेतरस्मिन्। सर्वे ज्ञातयोऽपोभ्यव-यंत्या सप्तभावात्पुरुषादृशमाद्वा । समानग्रामवासे. यावत्संबंधमनुस्मरेयुः । एकवस्त्राः प्राचीनावीतिनः २५ सञ्यानामिक्यापनोद्यापनः शोश्चद्यमिति दक्षिणामुखा निमज्जन्ति । प्रेतायोदकं सङ्कत्प्रसिंचं-त्यंजलिनाऽसावेतत्ते उदकमिति" । संयुक्तं विद्यादिना प्रेतसंकद्वम् । मिथुनमेव मैथुनं । स्त्रीपुरुषयुग्मं . विद्यासंयुक्तमुत्तरदानाभिज्ञं ''मैथुनश्यालकम्" इति **कर्कः**। शतन्यूनवर्षे प्रेते कुरुष्वं मा चैवं पुनरिति कुरुध्वमित्येवसद्गमद्शमग्रहणमविवक्षितं याचितस्योत्तरं इतरस्मिंच्छतवर्षे पर्यंतमिवविक्षितमेतदेव विवृतं यावत्संबंधमिति। एतदर्थमेव मूळेऽपिः। अत्रत्यं प्रेतमरणं हत्वा ३० यथोक्तमभिं गमयित्वाऽनवेक्षमाणा आपोत्येकवाससोऽरतीमृताः कनिष्ठपूर्वी इति रमशाने अरतीभूता उद्विमा। 'रतीभूता' इति पाठे श्रेणीभूता इत्यर्थकं वैजवापोक्ते

१ "मन्द्रानामिति" गौतमीय पाठः । २

वक्ष्यमाणप्रचेतसोक्तमपसब्ययज्ञोपवीतवासस इति ब्राह्मणविषयं चैकवाक्यस्त्वं "राजन्यवैश्यावप्यपसव्ये वासो यज्ञोपवीते कृत्वेति" शंखातो विड्रिषमं इति केचित् । शंखोक्ताविप न विप्रस्यापरिग्रहात्तत्रत्यमेकवस्त्रत्वं मितिसर्वैकवाक्यतया सर्वत्रैकरूपतेति परे। परे अयनोद्येसत्रादेकमित्यस्यानुषंगः। असावुक्तिः। यत्र भं संबुध्यंतप्रेतनामनिर्दश इत्यर्थः इति आह । विशेषं प्रथमपक्षानुरोधनाहैतचेति । उदकदानं चेत्यर्थः । एवमग्रेऽपि बोध्यं। संस्कारानंतरं चितामप्रदक्षिणमावर्त्य जलसमीर्पंगंतव्यं। तथा च विष्णुः "निर्दृष-बांधवाः प्रेतं संस्कृत्य प्रदक्षिणेनाचितामभिगम्याप्सु सवाससो निमज्जनं कुर्युरिति'' । आश्वला-यनोऽपि (गृ. सू. ४।४।९) । "सव्यावृतोवजंत्यंनीक्षमाणा" इति । शरीरं प्रेतस्य अनवक्षेति-संस्कारस्थानमितिशेषः । अप इति अभ्युपगम्य स्नौतुं प्रविशंतीत्यर्थः । अस्य मृलैकवाक्यतयाऽपि मुयोजत्वादाह तथेति वित्रोव्य (?) उक्तोऽन्यश्च । यथेति पदार्थनितवृत्तावव्ययीभावः । नोद्धर्षेति । अंगामितिशेषः । उद्कांते उद्कसमीपे तीरे । अपसव्ये यज्ञोपवीतवाससी येषां अभ्यार्हितत्वात-द्नित्यत्वाद्वा साधुता । ब्राह्मणस्येत्यादि प्रेतविशेषणं अनेन शुद्रेऽनियमः सुचितः । राजन्ये-त्यार्षो दृंद्वः । विरोधपरिहर्तुमाह । स्मृत्यंतरे त्विति । तत्र तावदित्यंतांशे मानमाह । यथाहिति । अत एव मलेऽपि द्वितीयपक्ष उक्तः।स च सर्वोपलक्षणं। आवृत्तौ मानमाह। तथेति। अंजलीनि-१५ त्यनेन त्रय इति सूचितं । प्रेतिति प्रेतोद्देशेनत्यर्थः ।

उत्तरार्धार्थमाह। प्रतीति । एकादशाहादावनतिप्रसंगायाह। यावदशम इति । अञ्जलिसंख्या पक्षाश्च त्रयः स्मृतिष्कास्तत्र सकुत्पक्षो मूले वक्ष्यमाणः । तथैवाश्वलायनेनापि ''एकांजलिमिति" (गृ. स्. ४।४।१०)। प्रचेतसा तु पक्षत्रयमप्युक्तं तत्र दश-द्वादशत्यादित्यर्थवक्ष्यमाणः सकुत्पक्षः । तथैव 'त्रिः प्रत्येकिमे'त्यंजलित्रयपश्चतृतीयः प्रकृतः । तत्र यदि प्रथमदिने
रे॰ त्रयो दत्तास्तदा द्वितीये षद्र तृतीये नवत्यादिक्रमेण त एवांजलीनिति बहुवचनसंगतिः । यथेकस्तदा द्वितीये द्वौ तृतीये त्रय इत्यादिक्रमेण दिनसंख्यया द्वैगुण्यत्रेगुण्यादिपक्षवत् । मूलपञ्चेण
शास्त्रार्थसिद्धावपि गुरुपदानुष्ठाने प्रेतोपकारातिशयः कत्पः । अन्यथा तद्वत्त्यानर्थक्यप्रसंग इति
भावः । तदेतत्व्वनयन्नाह। यद्यपीति।अनयोर्मूलायुक्तप्रचेतसोक्तयोः । गुरुतरेति प्रचेतसोकेत्यादिः । अस्य चोदकदानस्य तर्पणत्वेनान्वारब्धसन्येनापि पक्षे प्राप्तावंजलिनियमायार्ह् । विसष्ठेरभ नापीति । सब्येतरेति । सब्योतरेति पाठांतरम् ॥ ३॥

याज्ञवल्कीये ४°श्लोकः।

एतद्ये उक्तेरेविमत्यनेन तस्य नातिदेश इति भ्रमिनरासायाह । वक्ष्यमाणेति । गोत्रे तदुचारणादिरूपगुणविशिष्टस्येत्यर्थः । स तु उभयत्र गुणविधिः । अत एवाग्रे तथैवावतारित-मिति भावः । एविमिति व्याचष्टे । यथेति । बहुवचनोपपत्तये आह । मातामहानामिति । अनेनैकशेषेण मातामहादिरापि ग्राह्यात्रेति सूचितम् । अग्रे प्रेतग्रहणाचापेता अपि । कामेनोद्क-मिति सुसुपेति समासः । तात्पर्यार्थमाह । प्रेतिति ।

१ 'बेक्ष्यमाणा ' इति आश्वलायनीयपाटः । २ ख्र−स्नातुं न प्रविशन्तीत्यर्थः ।

तस्यापि तात्पर्यमाह । अकरणे इति । अदाने इत्यर्थः । पारस्करेऽपि (३११०।३९ । ४३) । "आचार्ये चैवं। मातामह्यास्त्वस्त्रीणां चाप्रतानां प्रतानामितरेकवी- रान्। तांश्च तेषाम् "इति । तत्र स्त्रीणां न मंत्रः। "अमंत्रा हि स्त्रियो मता" इति बौधायनात् । " अथ मित्रप्रजास्वस्त्रीययाज्यश्वशुरगुरुमुह्द्याजकानां यथेच्छमिति " । गुरु-रुपाध्यायः । मुहत्संवंधी मातुलमातृष्वस्त्रीयादिः । शास्त्रिस्ताविणि । "उद्किन्निया कामं ५ श्वशुरमातुलयोः । शिष्ये सहाध्यायिनि राजनि चेति" । मूले चेनानुकानामेषां संग्रहो बोध्यः ॥ ४०॥

याज्ञवल्कीये ५ श्लोकः (पूर्वार्धः)।

उद्कद्दाने उभयत्र गुणत्वमुपकारत्वं तत्त्वमुपपाद्यति । तत्वोद्केति । चेन सगोत्राणामापि ग्रहणं । वाग्यता इति वहुवीह्रेराहिताग्न्यादिः । तदाह । मौनिन इति । नामगोत्रेणेति १०
समाहारद्वंद्वत्वेनोपलक्षितमुद्कमिति शाब्दोऽर्थः । तत्कलितमाह । प्रेतस्येति । तत्वोच्चारणलक्षिन
णिकमित्याह । नामिति । तत्त्वक्षमाह । अमुकेति । अमंत्रो "ऽपन इत्युग्ने पांह्व "इति प्रागुक्तमेव ।
मूले चायमुक्तः प्रचेतसा । "प्रेतन्तृष्यत्विति " । वैज्ञवापेन "अमुष्मे स्वधेति"। पारस्करेण
"असावेतन" इति । हार्रातेन " असो तृष्यतामिति " कात्यायनेन "गोत्रनामपदांते च तर्पयामीत्यहं वदेदिति" । रामायणे च "इदं गुरुपशाईल विमलं दित्यमक्षयम् । पितृलोकेषु पानीयं १५
मद्चमुपतिष्ठताम्" इति । एषां च विकत्यो वोध्यः । 'स च व्यवस्थित ऐच्छिको वेत्यन्यत् । सर्वे
वात्यमिति' न्यायनात्र । सकूदंविति । खद्यप्यत्रोदकमित्येवोक्तं तथापि कुशतिलयुतं देयं ।
"दक्षिणामान् कुशान्कृत्वा सतिलं तु पृथकपृथागिति" कात्तीयात् । कुशानां च सत्यपि पिञ्यत्वे ।
दिगुणभुग्नता न कार्या ।

"सपिंडीकरणं यावहजुद्भें: पृथक कियांभ सपिंडीकरणादृष्वं द्विगुणो विधिवद्भवेत्" ॥ इति । २० विष्णुपुराणात् । आर्पत्वाद् । लिङ्ये लिङ्याह । प्रसिचंयुरिति । अनुक्तं पूर्यति । निर्वेति ।

अयं वक्ष्यमाणः । तेनैव अचेतसैव । ततः संस्कारोत्तरं । शौचं मृत्रपुरीषादि । यथार्थ-वत् सप्रयोजनं यथा भवति तथा । वस्त्रं उपिर वस्त्रं । ततः तच्छोधनानन्तरं । स्नानप्रकारमाह । सचैल्रस्त्वित । ततः संस्कारकर्मतः शुचिः । ततः संस्कारस्थानात् । पाषाणं यक्वच्छिद्र-कारकं । विदे इत्यादिवेतशिकसप्तस्यंतं । ततः अञ्जलिदानानन्तरं ।

अत्र दशायंजितिदानं न प्रथमित्न एव विधीयते । किंतु सर्वाशीचं दिनानि मिलित्वेति प्रत्यहमेकांजितिदानमुक्तं भवति । गृहप्रवेशस्तु प्रथमिदिने एवोक्तकाले । केचितु प्रथमिदिने एव दशायंजिलिदानविधिमाहुः । अत्र स्नानगृहप्रवेशयोः "पाठक्रमादिति" न्यायेन व्युत्कमो बोध्यः । पुनःशब्देन सकलपूर्वस्नानधर्मातिदेशेन नदीक्तपाधिकरणाप्राप्या गृहप्रवेशोत्तरं तद-संभवात्पुनर्नदीकत्पने गोरवात्तथेव शिष्टाचाराचेति केचित् । आशौचोत्तरिदनस्य स्नानपरमिति परे । ३० गृहशोचस्याशोचान्त्यदिनपरत्ववत् । अत्रापि पक्षे शिष्टाचारादंजिलिदानोत्तरं स्नानं भवत्येवेति

१ प्रेतानाञ्चोदकिका इति पाठानि प्रायणेदस्।

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बोध्यम् । अत्र नदी भागीरथीत्यादि "धर्म्यास्वस्य" इति वैजवापात् । नद्यभावे तडागादौ कार्यम् । अत्रोदकमवहद्भवति तत्प्रायम् । "सकृदुन्मज्यैकांजितमुत्सुज्य तस्य गोत्रं नाम गृही-त्वोत्तर्यि वासांसि परिधाय सकृदन्यान्यापीडचोदकृदशानि विसृज्यासत आ नक्षत्रदर्शनात्" । इत्याश्वलायनात् (४।४।१०)।

(उत्तरार्धः)

तत्त्वस्य तावत्पर्यन्तमेव सत्त्वादाह। समेति। अतं प्वाऽवतेति मनूक्तिः। तथार्थमाह। चेति। अधिकसंग्रहाय तद्रथमाह। प्रच्युतेति। उद्कपदमुपलक्षणित्याह। उद्कादीति। तेन दाहिषिंड-दानादिसंग्रहः। विशेषमाह। ब्रह्मोति। पूर्वेति ब्रह्मचर्यावस्थायामित्यर्थः। ततः पूर्वमृतानां तु अजातत्वात्तत्र निषेधाभावात्। उद्केति। एकस्मिन्दिने सर्वेषां प्रत्येकमिति भावः। आदिष्टी-१० त्यनेन ब्रह्मचार्युच्यते इत्यन्वयः। तत्र हेतुमाह। ब्रह्मोति। आश्वलायनसूत्रमिदम् (१।२२।३)। आदिना भिक्षाचरणादि। तथा चन केवलं रूढिः। किंत्वादेशनं वतादेशनमादिष्टं तदस्यास्तीति योगोऽपीति भावः। आव्रतस्ये त्यस्याऽऽसमावर्तनादित्यर्थः। न त्वांतरालिकमाहानाम्न्यादि व्रतस्माप्तेरिति।

पतस्रिति मूलोकं मनूकं त्वित्यर्थः । अत एव "अपराध्यत्यादिष्टी नोदकमिति"

^{१५} स्मृत्यन्तरम् । मेधातिथिरप्येवं । विश्वरूपाचार्यमतमाह । आचार्य इति । प्रकातिति

प्रारब्धेरित्यर्थः । आवतस्येत्यत्र वतं प्रायश्चित्तरूपमेव । तदेव ध्वनयनुत्तरार्द्धार्थमाह । प्रायश्चित्ति ।

अत्र मन्यते इत्यनेनाचारादिविरोधरूपारुचिः सूचिता । न्यूनतां परिहरति । तथेति । आध
शब्देनांधादयः प्रागुक्ताः । ब्रह्महाद्य इति केचित् । व्रात्या यथाकालमनुपनीताः । विधर्मिणः

पाषंडिनः । "यतेः किंचिन्न कर्तव्यं न चान्येषां करोति स" इति मनुः ॥ ५॥

याज्ञवल्कीये ६ श्लोकः।

संगतिमाहैवामिति । संप्रदानिति । उद्देश्येत्यर्थः । तथा च प्रागुक्तब्रह्मचार्यादिभिन्नेरिपि सिपंडादिभिर्मृतपासंडचायुद्देशेनोदकादि न कार्यमिति भावः । पदार्थानाह । नरेति । अनुगमकमाह । अकृतेति । यथाश्रुतानुपपन्नं विवक्षितार्थमाणधीति (?)। अनेन तदभावे तत्त्वाभावः सूचितः । एवमग्रेऽपि । सवर्णेति । ब्राह्मणीयान्येत्यादिः । अनिषिद्धसुरापाने द्रोषाभावादाह । १५ यासामिति । सकृत्पाने तदभावादाह । पानरता इति । स्वाभाविकोऽयमर्थः । वश्यम्गणमाह । विषेति । एवं पदार्थानुक्त्वा वाक्यार्थमाह । एते इति । प्राग्वदाह । उद्गितः १ १८६५ केति । नन्वेतेषां अशोचोदकदानकर्वृत्वाभाव एव प्रतीयते भाजनशब्दस्य पात्रवाचित्वादिति पूर्वतुल्यते चेत् प्रतिज्ञार्थासिद्धिरत आह । भाजयंतीति । सेवयंति इत्यर्थः । तद्यमाह । सिपंडादीनामिति । तात्पर्यार्थमाह । अत (स्तन्मरण) इति । असत्यागिन ३० इत्यनुरोधेनायमेवास्यार्थो न तु स इति भावः ।

न्यूनतां निराचष्टे । अत्र चेति । अनुपेति । उद्देश्येत्यर्थः । तेन पुंसामपि ग्रहणमिति भावः । विशेषमाह । एतचेति । तदभाववचनं चेत्यर्थः । बुद्धीति पूर्वक गुट्यानि भिन्नैः शास्त्रोक्तमार्गेणेच्छापूर्वकमृतानामाशौचादिन कार्यमिति गौतमार्थः। अनापदीत्यर्थः। (?) विषमीव गतुलित्याहानिति । अत्र स्फुटं मानांतरमप्याह । अथिति । तस्याशौचिमिति । तच्च प्रत्यक्षशव-दाहे पूर्णमेव विशेषानुकेः । प्रतिक्वतिदाहे तु प्रागुक्तं । उदक्षप्रहणं चोपलक्षणं । परे तु प्रमाद-मरणत्वात्तिभिमित्तकप्रायश्चित्तपूर्वकं तत्कार्यम् । तानि च प्रायश्चित्तानि "व्याघ्रेण निहते प्रेते परकन्यां विवाहयेदि"त्यादिनाः शातातपीये गृह्यकारिकायाञ्चोक्तान्यन्यत्र स्पष्टानि ।

अन्यद्प्याह । तथेति । अंगिरोवाक्यमाह । चांडाळादिति । वैद्युतातः विद्युत्संबंध्यनलात् । पद्मभ्यो भिन्नगवादिभ्यः । चांडालादिभ्यः प्रत्येकं यन्मरणं तत्पापकर्मणामिति । तेभ्यः प्रेतेभ्यो यसदीयते उद्कं पिंडदानं चोद्रयादि तत्सर्वं तत्र नोपतिष्ठति । नोपकरोति । किंत्वंतरिक्षे मध्ये एव विनश्यतीत्यर्थः । मध्ये ददाति भक्तिः । प्राग्वदाह । एतद्पीति । अपिना पूर्वसमु-च्चयः । ननु गौतमैकवाक्यतया प्राक्संभवेऽपि अत्र तद्भावात् । निराकांक्षत्वान्निमित्तभेदात्कथं १० तत्त्वमत आह । गौतमेति । अत्रापि चंडालादिति । अंगिरोचाक्येऽपि तदिति चंडालादा-वुद्कसाहचर्येत्यर्थः । अयं भावः । मूलस्य गौतमैकवाक्यतया तद्विषयत्वसिद्धौ तदेकवाक्यतयैव चंडालादुदकादित्यत्राप्युदके इच्छासंबंधावस्यकत्वेन तत्साहचर्याचांडालादिष्वपि तत्संबंधः । चंडालादिभिर्यन्मरणं तत्पापकर्मणामिति वचनव्यक्त्या चंडालादिहेतुकमरणस्य पापहेतुकत्वप्रतीत्या पापस्य च निषेधातिकमहेतुकत्वान्निषेधस्य च पुरुषव्यापारगोचरत्वात्प्रमादमरणे च मरणानुकूल- १५ तद्भावात्पापकर्मणामिति विशेषणादापि तथा। अन्यथा पूर्वे जन्मनि पापकर्मणां येषां चंडालादिभिर्ये मृतास्तेषे मेवायं सर्वत एवेतिविधेर्मरणामिति तस्यानर्थक्यात् श्वादिदंशवज्जन्मांतरीयपापानु-मानेऽपि निषेधे विशेषानाधायकत्वात् । तस्मान्मरणाभिसांधिना दर्पेण वा शास्त्राभ्यनुज्ञां विना चंडालजलादिभिः प्रागुक्तनिषेधस्य चातिक्रमजानितदोषनिमिन्नकाशौचौर्ध्वदैहिकनिषेध इति तदाह । अतो दर्पादिना विध्यतिक्रमानिमित्त इति बहुत्रीहिः । सोऽपि । उत्तरार्द्धेऽपि एवमित्याहः । २० एवमिति । अनेन सक्रविधिनिषेधातिक्रमजदोषस्य न तिन्निमित्तत्वं किं तु कस्यचिदेवेति तु शास्त्रकसमधिगम्यत्वाद्यथाशास्त्रमिति सूचितम् । तथा च ब्राह्मे

"शृंगिदंष्ट्रिनिवन्यालिविषविह्निक्याजलैः । सुदूरात्परिहर्त्तन्यः कुर्वन् क्रीडां मृतस्तु यः ॥ "नागानां विप्रियं कुर्वन् हतश्राप्यथ विद्युता । निगृहीतः स्वयं राज्ञा चौर्यदोषेण कुत्रचित् ॥ "परदारान् रमन्तश्च द्वेषानु पतिभिर्हताः । असमानेश्च संकीणेश्चांडालागेश्च विग्रहम् ॥ २५ "कृत्वा तैंर्निहतास्तांश्च चंडालादीन्सभाश्रिताः । शस्त्राग्निगरदाश्चेव पासंडाः कृरबुद्धयः ॥ "कृषित्पापं विषं विह्नं शस्त्रमुद्धंधनं जलम् । गिरिवृक्षप्रपातं च ये कुर्वन्ति नराधमाः ॥ "कुशिल्पजीविनो ये च सूनालंकारधारिणः । मुस्तेभगाश्च ये केचित् क्रीवंपाया नपुंसकाः ॥ "ब्रह्मदंडहता ये च ये चापि ब्राह्मणहेताः । महापातिकनो ये च पतितास्ते प्रकीर्तिताः ॥ "पतितानां न दाहः स्यान्नांत्येष्टिर्नास्थिसंचयः। नाश्चपातश्च पिंडो वा कार्यं श्राद्धादिकं कचित्॥ ३० "एतानि पतितानां तु यः करोति विमोहितः । तप्तकुच्छ्रद्वयेनैव तस्य शुद्धिनं चान्यथा"॥इति ।

व्यालो दुष्टगजः । नागाः सर्पाः । चौर्येति साहसादेरप्युपलक्षणं । रमंतो रमयंतः । कोधा-दिति शोकादेरप्युपलक्षणम् । मरणाभिसंध्यभावे विषादिभिर्मरणं पूर्वमुक्तं । अधुना तत्सत्ताया-मुच्यत उक्तपौनरुक्त्यम् । कुशिल्पजीविनः । आपचि निषिद्धचर्मकारादिशिल्पोपजीविनः । सूना प्राणिवधस्थानं । तदलंकारांस्तदुपकरणानि शस्त्रादीनि धारयंति । (?) तदनहीस्तत्राधिकृता इति । पुष्वेभगा इति अयोनौ रेतःसेकनिषेधात् । क्वींबेषु पतितत्वोक्तिर्भून्नाग्रद्दैश्किदेवतात्वायोग्यत्व-रूपपातित्यं पुंकृते मरणोत्तरकालिकं विवक्षितं । न तु द्विजातिकर्महान्यापादक्पापवत्वरूपं पूर्व-कालिकम् । ब्रह्मदंदः शापकृत्यादिः । उत्पादितहंतृकोधास्तेनहताः । ये च ब्राह्मणैः साक्षाद्धताः । महापातिक्यहणं गौतमोक्तानामतिपातक्यादीनाम् ।

"चतस्रस्तु परित्याज्या शिष्यगा गुरुगा च या। पतिन्नी च विशेषेण जुंगितोपगता च ये"॥

१॰ इत्युक्तानां च पतितानाश्रितानां चोपलक्षणम् । अत एव स्मृत्यंतरं सर्वप्राहकम् ।

"आत्मनस्त्यागिनां नास्ति पतितानां तथा कियेति"। मनुरिप । (अ. ५ १ %ो. ८८ – ८९)

"वृथासंकरजातानां प्रवज्यासु च तिष्ठताम् । आत्मनस्त्यागिनां चैव निवर्तेतोदकिकया ॥

"पाखंडमाश्रितानां च चरंतीनां च कामतः । गर्भभर्तृद्वहां चैव सुरापीणां च योषिताम् "॥

वृथाजाता अनाश्रमिणः पंचमहायज्ञादिरहिताः । दंपितसाध्यकर्मानिधिकारात्संकरजाताः ।

१५ भिन्नवर्णस्त्रीपुरुषजाताः । ते च प्रतिलोमजा एव निंदितवृथाजातैः सह द्वंति । प्रवज्यासु तिष्ठतां संन्यासिनाम् । यतु "बाह्यप्रवज्यानां कापालिकदिगंबरादिदर्शनभेदेन बहुत्वाद्वहुवचनोपपत्तेरत्र ग्रहणमित्युक्तं" मेधातिथिना ततु "पाखंडमाश्रितानां चे"त्यनेन पौनरुक्त्यापत्तेर्र्णिश्यम् । बहुवचनं तु द्र्शनभेदाभावेऽपि हंसपरमहंसैकदंडित्रिङंदादिभेदाद्वैदिकीष्वप्युपपन्नम् । अत एव त्रि-दंडग्रहणादेव प्रेतत्वं नैव जायते इति संगच्छते । त्रिदंडग्रहणमुपलक्षणम् । निंदितसाहचर्यमात्रं तु श्रितिविरोधेऽकिंचित्करम् । अत एव वृथाशब्द्यन्वयेन तत्परत्वं वाचस्पत्यायुक्तमप्ययुक्तम् । आत्मत्यागस्य तु वाक्यांतरबलादशास्त्रीयस्य ग्रहणं न तु वृथाशब्दान्वयात् । "व्यवायान्तानुषज्येत" इति न्यायात् इति दिक् । तदाह । अनुसंधेयमिति । विशेष-माह । अयं चेति । "नाशौचोदकभाजना" इत्यादिनोक्तं इत्यर्थः । आदिना द्वादशाहादि न् अहादि च । तत्र हेतुमाह ! हतानां वृपगोविषेरन्वशं चेति ।

तद्य्युपलक्षणित्याह । तथेति । आदिना पिंडदानपरिग्रहः । अपिस्तयोरेव समुच्चये । अंतकर्म प्रेतकर्म । ब्रह्मित ब्रह्मदंडाभ्यां हता इत्यर्थः । ब्रह्मशब्दो ब्राह्मणपरः । दंडश्च समिन्य्याहारात् ब्राह्मणशापकृत्यादिपरः । तदेतद्मिप्रेत्य संग्रहाय साधारणमाह । ब्राह्मणिति । प्रसिद्धार्थनिरासायाह । प्रेतिति । न चेति । यद्यप्यज्ञाग्निभिरिति सामान्येन श्रुतं तथाप्यग्निज्ञयमेव लभ्यते "त्रेताग्निभ्यो दहंति तस्याग्नित्रेतायां पितृमेध" इति च प्रागुक्तभारद्वाजसूत्रात् । "दग्ध- व्यस्तिभिराग्निभिः" इति प्रागुक्तवृद्धयाद्वाद्यक्यायुक्तेश्च सभ्यावसथ्यौ सभ्यावसथ्यावाहिताग्ने- देहनकर्मणि न प्रयुज्यते । चिताप्रदेशा अप्युदीच्यां दिशि पंचमक्रमानितक्रम्योक्त्वौ निशायामप्रति- पत्तीति "उपयुक्तस्याकीर्णकरतानिवर्तकं कर्म प्रतिपत्तिकर्म । आहिताग्नीति तद्वप्रविषयं न

प्रकरणम् १ **ँ** ६ श्लोकः

निषेधो विषयीकरोति। स्मृतितः श्रुतेः प्राबल्यादन्यथा तस्या आनर्थक्यापत्तेरित्यर्थः । 'आनर्थक्येति' न्यायेन विप्रादिहतान्याहिताग्निविषयतया श्रुतेः सावकाश्रत्वेन तत्प्रतिपत्यंतरबोधकस्मृत्युपोद्देलित-निषेधस्मृतेरेव प्राबल्यमित्याशयेन सिद्धांतमाह। यतश्रण्डाल इति । विधीयतेति । मुनिनेति शेषः । प्रतिपायत इत्यर्थः । वैतानं श्रौताग्निं । जातावेकवचनम् । आवस्थ्यम् औपासनाग्निम् । उभयसाधारणमाह । पात्राणीति । वृथेति । उक्तप्रकरणेत्यर्थः । संस्कृतीयानां ग्रामान्तरादा- ५ नीतानाम् । अथ प्रसंगादसद्भ्यां अविहतमार्गे यातियावत् । तच्छरीरस्येति आहिताग्निश्रारेण । श्रितानाम् । अथ प्रसंगादसद्भयां अविहतमार्गे यातियावत् । तच्छरीरस्येति आहिताग्निश्रारेण । तथा च पुण्यनग्रुपलक्षणमेतत् । "शूद्रस्तद्देहं दाहयेदिति" तु हेमाद्रावुक्तम् । उपसंहरित तस्मादिति । आहिताग्निभिन्नत्वरूपविशेषानादरेणेत्यर्थः । तदेवाह । सर्वेषामिति । आहिताग्न्यनाहिताग्न्यादीनामित्यर्थः । एवं च वत्सरांते तेषां मरणे शरदाहादीत्युपदमेव स्फुटी- १० भविष्यति ।

"जलेऽस्थिनिक्षेपिकिया प्रदर्शते। अस्थीन्यादाय गंगातीरेऽवस्थाप्य कर्ता सचैलं स्नात्वाऽऽचम्या-स्थीन्यपि केशवादिद्वादशनामिर्द्वादश्वारं गंगायां निमज्य पुनस्तीरेऽवस्थाप्य ब्राह्मणैरनुज्ञातः प्राचीनावीती दक्षिणामुख उपविश्य प्राणानायम्य तिथ्यादिश्रवणं कृत्वा अमुकगोत्रस्यामुकशर्मणो गंगायां तस्यास्थिनिक्षेपमहं करिष्य इति संकल्य अपउपस्पृश्य "गोत्रायाः देव्या अस्थीनीति"स्त्रियाः १५ ततो गायव्यादिमेत्रैविधिवन्मिलितेन पंचगव्येनास्थीनि स्नापयित्वा शुद्धदेशान्मृदमादाय शरीरा-कृति कृत्वा तत्र दक्षिणाग्रान्दर्भान्संस्तीर्य्य तत्रास्थीनि निधाय अस्थिषु "हिरण्यरूपमिति" हिरण्यशकलं निधाय "मधु वाता" इति वचनेन मधु "तेजोऽसि शुक्रमसी" त्याज्यं "तिलोऽसीति" तिलान्गायव्या गोमृत्रं "गंधद्वारामिति" गोमयं "स्वादुः प्यस्वेति" शर्करां "दिधिकाव्यां" इति दिधि "आप्यायस्वेति" क्षरिं "देवस्यत्वेति" कुशोदकं दत्वा मुक्तारूपप्रवालादि च तत्र क्षिप्वा २० पुनर्मृत्तिकया शरीराकृतिं कृत्वाऽस्थीन्यपिधीय हस्ताभ्यां तत्सर्वं गृहीत्वा

"प्रसीद वरदे देवि सर्वपापप्रणाशिनि । अमुकस्य प्रयच्छाशु गतिं पुण्यस्य शाश्वतीम्" ॥ इति महानदीं प्रार्थयित्वा गंगाजले प्रविश्य निमज्य भूतलपर्यतं गत्वा "नमोऽस्तु धर्मराजाय स मे प्रीत" इति तत्र निक्षिप्योत्तीर्य "पृथिवीं गच्छांतरिक्षं गच्छ दिशो गच्छ दिशो गच्छ दिशो गच्छ दिशे गच्छ दिशे गच्छ दिशे गच्छ पृथिवीं गच्छापो वा गच्छ यदि तत्र ते हितमोषधीषु प्रतितिष्ठा शरीरैरिति" २५ जिपत्वा स्नात्वा वासः परिधायाऽऽचूम्याऽनन्तर्दशाहविषयहिरण्यश्राद्धन्तर्पणञ्च कृत्वा कर्म ईश्वरार्पणङ्कर्याद् " इति । "आप्तो वा प्रियते यदि । पश्चनामिव तस्येह न कुर्यादौद्धेदेहिकम् ॥ "नैवाशौचं प्रसज्येत तत्पुत्राणां विशेषतः ।

नवाशाच प्रसञ्चत तत्पुत्राणा विशेषतः ।

''अथैनमपि चोह्रिय कर्म चेत्कर्तुमीप्सितम्। कल्याणामेव कुर्वीत भक्ताभक्तांश्च पूज्येत्"॥ इति दिक्।

यद्यपीदं काइयां प्रयागे च तुल्यं तथापि प्रयागमरणं ब्राह्मणस्य कलिवर्ज्येषु परिगणित- ३० मिति न तत्र तस्याधिकारः । अविमुक्ते त्वस्त्येवेत्यन्यत्र विस्तरः ।

अतः निषेषस्य प्राबल्यात्। अतिक्रमे अतिक्रमेण दाहादिकरणे तत्तिन्निमत्तं वक्ष्यमाणाशौचिमिति कर्तव्यामिति भावः। स्नानं शवस्नपनं णिजर्थातरभावात्। रज्जुच्छेदश्च कादाचित्कः। पातं चेति

आशौच-याज्ञवल्कीय

समाहारद्वंदः। प्रागुक्तवाह्योक्तं तप्तकृच्छूद्वयं तु "एतानीति विमोहित" इति च श्रवण इति बुद्धिपूर्वक-समुदितकरणविषयकम् । बुद्धिपूर्वके तत्र तु द्विगुणं "जानात्तद्विगुणं भवेदि"त्युक्तेरित्याशयेनाह । ए-तच्च प्रत्येकिमिति । बुद्धिपूर्वे तत्पूर्वकेकरणे । एतेन च श्रवणादेतस्याऽबुद्धिपूर्वकसमुदितकरणविष-यत्वं तत्र विमोहित इति स्नेहाद्यभिप्रायमेव न तु विषयाज्ञानाभिप्रायम् । अत एव विमोहित इति । णिच् प्रयोग इति कमपास्तं । नव्योदेवदत्तः कृषिं कुर्याद्यज्ञदत्तश्चेतिवच्चस्यान्यथोपपेतेः । णिच्-प्रयोगस्याज्ञानतोऽप्युपपत्तेश्च । तप्तकृच्छूश्चात्र मन्तो द्वादशाहसाध्यः । तद्वकं तेन (११।२१४) "तप्तकृच्छुं चरन् विप्रो जलक्षीरघृतानिलान् । प्रतिञ्यहं पिवेदुष्मान्सकृत्सनायी समाहितः॥" इति ।

अबुद्धीति प्रत्येकमित्यादिः । वचनत्रयेऽपि वाशब्दश्रवणात्प्रत्येकविषयता स्फुटैव । एषां पूर्वोक्तानां करसाहितोदकिकयेति मध्यमपदलोपिसमास इति केचित् । द्वंद्वोत्तरं १० तत्पुरुष इति परे । सांतपनं चात्र जाबालोक्तं सप्ताहसाध्यं । तदुक्तं तेन

"गोमूत्रं गोमयं क्षीरं दिधसिपिः कुशोदकम् । एकैकं प्रत्यहं पीत्वा त्वहोरात्रमभोजनम् ॥ "कुच्छ्रः सांतपनो नाम सर्वपापप्रणाशन" । इति ।

विरोधं परिहरति। यः पुनिरत्यादिना । पुनस्त्वर्थं । तदिति पूर्वोक्तपरामर्शकं । शव-मिति सामान्ये शरीरापेक्षया वा नपुंसकं । केवल्रशब्द इतरिनवृत्तौ । तदेव, विशद्यति । पूर्वो-१५ कानामिति । एतदुभयाभिन्नानामित्यर्थः । तयोः प्रत्येकं अशक्तस्येति देशकालाद्यनुसारेणेति भावः । एवमग्रेऽपि । बंधच्छेदने इति । बंधनच्छेदने इति पाठांतरं । बंधने छेदने इस्यापि । मासमिति । कालाध्वनोरिति द्वितीया । भैक्षोति भिक्षासमूहेत्यर्थः । भिक्षोति पाठांतरं । त्रिषवण-मिति त्रिकालस्नानं चेत्यर्थः । उपसंहरति । एवमिति । एतेन मिताक्षरोक्ता व्यवस्था-बचनाननुगुण्याद्प्युक्ता । किं तु ब्राह्मं बुद्धिपूर्वसमुदितविषयं । "कृत्वाग्निमिति" अबुद्धिपूर्व-२० समुदितविषयं स्पर्शाश्रुपातभिन्नदाहादिप्रत्येककरणे पुद्धिपूर्वे संवक्तोंकं अबुद्धिपूर्वे तु समंतुक्तं स्पर्शाश्रुपातयोस्तु प्रत्येककरणे तच्छवमितीति नव्योक्तमपास्तम्

विशेषमाह। अयं चेति। अनुष्ठानेति शोचाचमनाद्यावश्यकिनत्यादिकर्मत्यादिः। जिर्णत्वादेवाह । वानप्रस्थेति । आदिना यितनैष्ठिकब्रह्मचारिपरिग्रहः ।
अचिकित्रयकुष्ठक्षयादिमहान्याधिग्रस्तलुप्तभिषक् क्रियपरिग्रहश्च । विषयः
२५ विषयोऽपि । अत एवाह । तेषामिति । तथा च यदि ते भृग्वग्न्यमिदिभिरबुद्धिपूर्वं प्रियन्ते तेषामपि विहितमरणत्वेन दोषाभावान्नायमाशौचादिनिषेधः । किं तुं तेषां विरात्राशौचमौर्द्धदेहिकच भवत्येवेति भावः । वृद्धगार्ग्यमाह । वृद्धः शौचेति । तत्मरणतोऽपि रहित इत्यर्थः । यद्दा तद्धोधकस्मृत्यर्थरहित इत्यर्थः । उदकं उदकादिसर्वं दशाहकृत्यं । आद्धमहैकोदि्धादिकं । ब्राह्मेऽप्युक्तम्

"दुश्चिकित्स्यैर्महारोगैः पीडितस्तु पुमानि । प्रविशेज्ज्वरुनं दीप्तं करोत्यनशनं तथा ॥ "अगाधतोयराशित्र भृगोः पतनमेव च । गच्छेन्महापथं वापि तुषारगिरिमाद्रात् ॥ "अथायन्त्रस्य स्टूल्यागं करोति च । स्वयं देहविनाशस्य काळे प्राप्ते महामितः ॥

"उत्तमान्त्राप्नुथाहोकान्नात्मवाती भवेत्कचित्। महापापक्षयात्स्वर्गे दिव्यान्भोगान्समश्चते॥
"एतेषामधिकारस्तु तर्पसां सर्वजन्तुषु। नराणामथ नारीणां सर्ववर्णेषु सर्वदा॥
"ईदृशं मृतकं येषां जीवतां कुत्रचिद्धवेत्। आशौचं स्यात्त्र्यहं तेषां वज्रानलहते तथा॥
"वाराणस्यां म्रियेचस्तु प्रत्याख्यातमिषक् क्रियः। कष्ठपाषाणमृतस्तु जाह्मवीजलमध्यगः॥
"अविभुक्तोन्मुखस्तस्य कृणमृलगतो हरः। प्रणवं तारकं बृते नान्यथा कस्यचित्कचित्"॥इति। ५
वज्रानलहते तथेत्येतद्पि कृद्धादीनामेव तादृशमरणप्रकारविधानपूर्वकं ज्यहाशौचविधाय-
कम्। द्यादिना प्रमादेन वा तथा मृतानामाशौचाभावसम्पूर्णाशौचयोरकत्वात्। "अग्नि-
जलप्रविद्यानां मृगुसंग्रामग्रामिनाम्। देशांतरमृतानां च त्रिरात्रेण शुद्धिरि"त्यादि कश्यपादि-
वचांस्यपि वृद्धादिविषयाण्येव। ब्राह्मवृद्धगार्थांचेकवाक्यत्वात्।

"योऽनुशतं न शक्नांति महाव्याध्युपपीडितः । सोऽग्न्युद्कं महायात्रां कुर्वन्नामुत्र दुष्यिते"। १॰ इति गर्गोक्तः। अञ्च्छस्याप्येवं । इदमपि वृद्धपरित्यन्ये । ताहशस्य वृद्धविप्रादेः प्रयागमरणविधौ यद्यपि न विवादस्तथापि तन्मरणस्य किठवर्ज्येषु भृग्विप्रपतनैश्चैव वृद्धादिमरणं तथेति माधवीये आदित्यपुराणे परिगणितत्वेन सांप्रतमनाधिकार एव । एवं फठार्थे विहितप्रयागमरणोऽपि

"सर्वेन्द्रियविमुक्तस्य स्वव्यापाराक्षमस्य च । प्रायश्चित्तमनुज्ञातमग्निपातौ महापथः ॥

''धर्मार्जनासपर्थस्य कर्तुः पापांकितस्य च। बाह्मणस्याप्यनुज्ञातं तीर्थे प्राणविमोक्षणम्'॥इति १५ स्मृतिवाक्यं तु प्रायश्चित्तपरं वाराणसीपरं च। अत एव मात्स्ये

ैं अग्निप्रवंशं ये कुर्युरिविमुक्ते विधानतः । प्रविशंति मुखे ते मे निःसंदिग्धं वरानन" ॥ इति मात्स्यं संगच्छते । एवमनश्नेनापीत्यपि । तत्र ब्राह्मं तुक्तमेव । एवं च तत्र बुद्धिपूर्वं प्राण-त्यागिनामपि मोक्ष एव भवति । तत्र वेधप्राणत्यागिनां सब्प्रेमोक्षः । अवैधेन तथा कुर्वतां किंचि-द्विलंबः । एवं च तथा वृद्धादेरिविमुक्ततोऽन्युत्रमरणं कलिवर्ज्यमेवेति बोध्यम् । अयं च सर्व २० एषामाशोचादिनिषेधस्तदानीमेव । संवत्सराद्ध्वं तु एषामिष सर्वेषामौध्वदैहिकादि सर्वं कार्यमेव ।

'गांबाक्षणहतानां च पतितानां तथेव च । ऊर्ध्वं संवत्सरात्कुर्यात्सर्वमेवौध्वंदेहिकम्"॥इति षद्भिंदान्मतात् । तच्च नारायणबंदिपूर्वकं कार्यमिति वक्ष्यते । अत्राहिताग्नेः प्रोषितस्य मरणे दातद्वयीकारः । ''अग्नें सित स्याद्थ देहक्छित्रिरस्थिति चेदिग्नरपेक्षणीयः । अस्थ्रामभावे त्वशरीरकस्य विनष्टवह्नेरुदकिकयेवेति" अत्र केशवी अग्निसुप्तात्सुपर्णाशरोत्पत्तिः शरीरेवासित्रेता- दे धानेनाग्न्युत्पत्तिः । अत्रेव विषये यद्यग्नयो न् श्रियंते तदा शरीराभावात्त्रीसांनिध्याभावात्रेताधानेनाग्न्युत्पत्तरशक्यत्वात्संस्कारस्य दाहादेलीप उदकदानादि भवत्येव । पत्नीमरणेऽप्येवं । स्वामित्वान्वश्चात् । तत्रेव क मृत इति देशापरिज्ञानेऽपि पाथिकृती कार्या । कक्षदहने पुरुषाकृतिदहने चिद्यनादिसमानिति। इदं चित्यं। ''तदभावे पलाशानां वृंतैः कार्यः पुमानपी"त्यभावे विधानेना-रिथवत्प्रतिकृतेस्तजुल्यत्वादित्यनंतभद्वाद्यः । वस्तुतस्तु पूर्वार्धं तथेव । अग्निमस्यायमाशयः । तस्य अत्रुत्यत्वऽपि अरण्यभावात्तरसन्तेऽपि पत्नीसांनिध्याभावात्पत्त्ये ॥

अथ देहपरित्यागविधिः प्रसंगादुच्यते। तत्र ब्राह्मणस्यापि स्वयंदेहपरित्यागे विधिरधि-कारिविशेषणं फलं च निरूप्यते । तत्र ब्रह्मपुराणे

१ सर्वेषामिति पाठांतरम् । २ इत ऊर्ध्व प्रथस्रुटित इत्यन्तमीयते ।

आशीच-याज्ञवल्कीय

"दुश्चिकित्सैर्महारोगैः पीडितस्तु पुमानपि । प्रविशेदनलं दीप्तं कुर्यादनशनं तथा ॥ "आगाधतोयराशि वा भूगोः पतनमेव च । गच्छेन्महाप्थे वापि तुषारगिरिमादरात् ॥ ''प्रयागवटशासाग्रात्पतनं च करोति यः । स्वयं देहविनाशस्य काले प्राप्ते महामितः ॥ "उत्तमान्प्रामुयाञ्चोकान्नात्मघाती भवेत्कचित् । महापापक्षयात्स्वर्गे दिन्यान्भोगान्समञ्जते ॥ "एतेषामधिकारस्तु तपसां सर्वजंतुषु । नराणामथ नारीणां सर्ववर्णेषु सर्वदा" ॥ इति । ų अत्र यद्यपि यः कुर्यादित्यनुवादस्तथापि फलअवणादिधिकारिनिरूपणाच विभिन्ननीयते। दुश्चिकित्सव्याधिपीडायामपि यावयथाशक्ति चिकित्सया स्वधर्माचरणं संभवति तावद्वतस्थेय-मेवेति प्रतिपाद्यति स्वयमित्यर्द्धेन । अयं च कालविशेषः स्वबुध्यैव परीक्षणीयः । महामाति-रित्यनेन विचारधेर्यवैराग्यादिमतैवेदं कर्तु शक्यमित्युक्तं । यथोक्तः कालविशेषो न महापापिनां १० प्रायश्चित्तरूपयथोक्तमरणस्य फलमपेक्ष्यत इत्याशयेन तेषामेवंविधमरणफलं पृथगाह महापापे-त्यर्द्धेन । तथा चैवं विधिमरणेऽधिकारिविशेषणमसाध्यरोगित्वमहापापित्वे । तत्र च महारोगिणा-मुत्तमलोकप्राप्तिरेव मुख्यं फलं महापापिनां तु मरणस्य प्रायश्चित्तरूपतया पापक्षय एव मुख्यं फलम् । स्वर्गस्तु आनुषंगिकामिति विशेषः । ये तु जाबालश्चतौ संन्यासिनामुक्ता मरणप्रकाराः "अयं विधिः परिवाजकानां वीराध्वानेऽनाशकेऽपांप्रवेशेऽभिष्रवेशे महाप्रस्थाने वे"त्यादिना तेऽपि ^{१५} महारोग्यादिविषया एव । निष्कमत्वमात्रं विशेषः । यत्तु **याज्ञवल्क्येन** अनाशनाग्निप्रवेशजल-प्रपतनायोगीत्यादिना संन्यासिनामनशनाघद्यमस्तामसत्वेन निंदितः स ध्यानादिरूपस्वधर्मानुष्ठाने संभवत्यिप कृतकृत्यत्वाभिमानादिनिमित्तकदेहत्यागादिविषय इत्यविरोध इति । सर्वजंतुष्टित्रत्यनेन पञ्चादीनामप्यधिकार उक्तः । मनुष्येष्ववांतरभावमाह नराणामित्यर्द्धेन । अत्र सर्वदेत्यनेन चाश्रमादिनियमोऽनग्न्यादिनियमश्चापाकृतः । यत्तु "भृग्वादिपतनमन्यत्र बाह्मणादिति" ब्राह्म-२० णस्य स्वयं मरणानिषेधकं वाक्यं तत्काम्यमरणाविषयमेव उक्तमरणानिमित्ताऽभावे "न तु पुरायुषः स्वः कामी प्रेयादिति" श्रुत्येकवाक्यत्वात् । स्त्रानि च सामान्यान्यात्महत्यानिषेधकवाक्यानि तानि कोधादिदोषनिमित्तकमरणविषयाण्येव । यथा तत्रैव ब्रह्मपुराणे

''कोधात्प्रायां विषं विह्नं शस्त्रमुद्धंधनं जलम् । गिरिवृक्षप्रपातं च ये कुर्वंति नराधमाः ॥ ''ब्रह्मदंडहता ये तु येऽन्तरा ब्राह्मणैर्हताः । महापातिकनो ये च पिततास्ते प्रकीर्तित्मः''॥ इति। ४५ अन्यथा

"यदाऽसौ नियमेऽकल्पो जरवाजातवेपथुः । आत्मन्यग्नीन्समारोप्प मिचतोऽग्निं समाविशेत्"॥ इत्यादिभिर्मनुयाज्ञवल्क्यादिसकल्समृतिषु वानप्रस्थानां स्वयं मरणविधिविरुध्येत (वान-प्रस्थाश्रमे ये च यन्मरणविधानं तद्प्याश्रमांतरसाधारणं भवत्येव । ब्रह्मचार्याधिकारोक्ताध्ययनः वत् । तपोक्षपत्वादेव तु तपःप्रधानाश्रमे विशेषतो विधानमिति मंतव्यं। एवं व्यासेनापि इंद्रिया-क्रिक्षान्यानामेव स्वयं मरणमपमृत्युतयोक्तम् ।

"इन्द्रियरपरित्यक्ता ये ये चपविषादिन(?भि)ः । घातयंति स्वमात्मानं चंडालाभिहताश्च ये"॥ इत्यादिनेति तस्माद्वाह्मणस्य संन्यासिसाधारण्येनास्ति स्वयं देहत्यागाधिकारः । अन्या स्मृतिरपि

"धर्मार्जनासमर्थस्य कर्तुः पापांकितस्य च । बाह्मणस्याप्यनुज्ञातं तीर्थे प्राणविमोक्षणम् ॥" इति ।

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देवलादिस्मृतिष्वपि ''तीर्थे पुण्यतमे यथावदेहसंन्यासाङ्काह्मणो महापातकान्मुच्यत" इति । कार्मे च प्रायश्चित्तप्रकरणे

''ब्रह्महत्त्र्यां सुरापानं स्तेयं गुर्वगनागमम् । कृत्वा तैश्चापि संसर्गं ब्राह्मणः कामकारतः ॥ ''कुर्यादंनशनं विष्र पुण्यतीर्थे समाहितः । ज्वलंतं वा विशेद्भिं ध्यात्वा देवं कपर्दिनम्॥'' इति । गारुडे च

''ब्रह्महा द्वादशाब्दानि कुटीं कृत्वा वने वसेत्। कुर्यादनशनं वापि भृगोः पतनमेव वा ॥ ''ज्वलंतं वा विशेद्भिं जलं वा प्रविशेत्स्वयम् ।ब्राह्मणार्थे गवार्थे च सद्यःप्राणान्परित्यजेत्॥" इति।

एवं पुराणान्तरेष्विप । तस्मान्महारोगमहापातकनिमित्ताभ्यां जरयेन्द्रियवातादिनिमित्तकस्व-धर्मात्यन्तलोपे च ब्राह्मणस्यास्ति देहत्याग इति सिद्धम् । अत एव रामायणादौ शरभंगादी-नामाचारोऽपि दृश्यत इति गंगायां वर्णाश्रमाविशेषेण सामान्यतो मरणं काशीखंडे विहितम् । ९० "जरारोगाभिपन्नं तु कुणपं जाह्मवीजले । धेर्येण तृणवन्यवत्वा संविशेद्मरावतीमिति" । तथा काशीं प्रकृत्य मात्स्ये

"अग्निप्रवेशं यः कुर्यादविमुक्ते ममालये । विशेन्मयि स्वयं सोऽपि निस्संदिग्धं वरानने ॥ "अनशनं यः कुरुते मद्भक्तः कृतनिश्चयः । न तस्य पुनरावृक्तिः कल्पकोटिशतैरपि"॥ इति । लेक्के च योगविस्तारानंतरमाह

''एँवं ध्यानसमायुक्तः स्वदेहं य:परित्यजेत्। स याति शिवसायुज्यं समुद्भृत्य कुलत्रयम्॥ ''अथवारिष्टमालोक्य मरणे समुपस्थिते। अविमुक्तेश्वरं गत्वा वाराणस्यां सुशोभनम्॥ ''येनकेनापि वा देहं संत्यजन्मुच्यते नरः॥'' इति। **भागवते** च

"गतस्वार्थिममं देहं विरक्तो मुक्तबंधनः । अविज्ञातगतिर्जिद्यात्स वै धीर उदाहृतः" ॥ इति । तस्मान्महारोगे महापापे जरादिभिः स्वधर्मानुष्ठानासामर्थ्ये च अरिष्टादिभिः सन्निहितमरण- २० निश्चये च बाह्मणस्यापि अनशनादितपस्यधिकारोऽस्तीति । महाभारते च "रोगपापाद्यभावेऽपि बाह्मणस्यापि काम्यमनशनं विहित"मिति विशेषः । यथा बाह्मणश्रत्रियाविधक्टत्य,

"अनार्तो व्याधिरहितो गच्छेदनज्ञनं तु यः । पदे पदे यज्ञफलं स प्रामीति न संशयः ॥

"आर्तो वा व्याधितो वाऽपि मच्छेदनशनं तु यः । शतवर्षसहस्राणां मोदते स दिवि प्रभो"॥इति अनश्नविधानेन तीर्थेऽत्र गमनं विवक्षितम् ०एवं रोगपापाद्यभावेऽपि योगप्रवृत्तस्यारिष्टादिनाऽऽसन्न- २५ मरणज्ञाने स्वयं देहत्यागप्रकाराः शिवपुराणे वायुसंहितायां चोक्ताः । यथा

"यस्त्वासन्नां मृतिं मर्त्यो दृष्ट्वाऽरिष्टं च भूरिशः । स योगारंभनिरतः शिवक्षेत्रं समाश्रयेत् ॥ "स तत्र निवसन्नेव यदि धीरमना नरः । प्राणान्वितोऽपि रोगायैः खयमेव परित्यजेत् ॥ "कृत्वाऽप्यनशनं वैधं हुत्वा विद्वं शिवानले । क्षिप्ता वा शिवतीरेषु स्वदेहमवगाहनात् ॥

"शिवशास्त्रोक्तविधिवत्प्राणान्यस्तु परित्यजेत्।सद्य एव विमुच्येत नात्र कार्या विचारणा"॥इति। ३० ततश्च यथाकारुमरणादपि शिवक्षेत्रवासिनां मुक्तिमुक्त्वा उक्तम्

"तथापि मरणं शस्तमुशन्त्यनशनादिभिः । शास्त्रविश्रंमधीरेण मनसा कियते यतः ॥

"एतेष्वन्यतमोपायं कथमप्यवलम्ब्य वा । षडंगसिद्धिं विधिवत्काश्यां संस्थीयते यदि ॥
"यतीनामिव तस्येह न कुर्यादौद्धृदैहिकम् । नैवाऽऽशौचं प्रसज्येत न पुत्राणां विशेषतः ॥
"अथैनमिप चोद्दिश्य कर्म चेत्कर्तुमीप्सितम् । कल्याणमेव कुर्वीत भक्त्या भक्तांश्च प् जयेत्"॥
इति काश्यां प्रयागे च तुल्यार्थेऽपि प्रयागमरणं वाझणस्य
भ कालवर्ज्येषु परिगणितमिति न तत्र तस्याधिकार इति उक्तम् । अविमुक्ते त्वस्त्येवत्यन्यत्र विस्तरः ।
एतयोरुभयोरभावाद्वा तद्भावः । यद्वा तत्स्वदेशविषयमेव पूर्वदाहेनास्थिशरिरयमेरेव नाशे ततो
पृष्ट्याग्निनाशे मस्तकावशेषेऽपि तन्न । अशरीरकस्येति बहुवीहिद्वयं । अन्यथा पौनर्यक्त्यं स्पष्टमेव ।
तथा च यमः

"यजमाने चितारूढे पात्रन्यासे तथा कृते । वर्षाचिभिहते चाग्नौ ततः प्रच्छामि याज्ञिकाः ॥
"शेषं लब्ध्वा च लब्धेन निर्मशं तत्र कारयेत् । शेषालाभे तथा कुर्याद्व्यशेषस्य वा पुनः ॥
"अप्सु प्राप्स्यंति तं शेषमाग्रेयास्ताः स्मृता बुधैः"॥ इति । शेषं अरण्यादिकाष्ठशेषं । लब्धेन
तेनाग्न्युत्पादनसमर्थेन । निर्मशं कृत्वाऽग्निमुत्पाच तेन दहेत । अरण्यादिकाष्ठशेषालाभे द्व्यशेषकाष्ठस्य तथा कृत्वा दहेत् । तस्याप्यभावेऽप्सु प्रक्षिपेदित्यर्थः । एवमनाहिताव्यपि तृत्यन्यायत्वात् । तदभावान्मन्थनाभाव इति मात्रं विशेष इति बोध्यर्षं

तदेतदभिप्रेत्याह । एवमित्यादिना । निदेषु सत्सु पुनिरित वाक्यालंकारे । नारायणिति । "राजिमिर्निहतानां च शृंगिदंष्ट्रिसरीसृपेः । आत्मनस्यागिनां चेव श्राव्हमेणां न कारयेत्॥" इत्यादि । तथा तथैव । अत एवाह । नान्यथेति । तस्मात्तकरणेनोध्वेदेहिककरणे शृद्धेः संपाद्मात् । अतं श्राद्धं । एवोऽप्यर्थे । तेनान्यसमुच्चयः । वा चार्थे । द्वितीयदिने हिःवोद्देशेनापि पिंडदानसत्त्वात् । इदं च सकलवैष्ण्वोक्तप्रकारोपलक्षणं बोध्यम् । नैतिदिति । एतदन्यथा न विष्णुकुद्धौ समालंक्येत्यर्थः । प्राच्यग्रंथेषु तु शवं यावदिति पाटः । तदा विष्णुक्तपं प्रेतं ध्यात्वेत्यर्थः । विष्णुकुद्धौ समालंक्येत्युकेः । प्रागिमसंहितं प्रकाशयति । एवमिति अग्रेऽस्यान्ययः । षद्रत्रिंशद्धिः कृतं धर्मशास्त्रं षद्त्रिंशान्मतम् । आपिना व्यासादिसमुच्चयः । फलितमाह । एवं चिति । एवेन पूर्वव्यवच्छेदः । एवं व्यवच्छेदं विशेषक्तं न तु सर्वमिति ध्वनयच्चाह । अत्रेति । पुनर्गृहोद्धेत्येकपदं । पश्चात् गृहीत्वेत्यर्थः । ततः क्षालनोत्तरं । पुनरिति द्वितीयवारम् । अस्य अत्रेति । ततः क्षालनोत्तरं । पुनरिति द्वितीयवारम् । अस्य उक्तं । तदावृत्त्या आह । द्विगुणादिकमिति । आयुषश्चेति । चन भक्तिसमुच्चयः । साऽपि करणे निमित्तं तावत्कालं पुत्रादेर्जीवनसंदेहादित्यर्थः । गृद्धपरिशिष्टेऽप्युक्तम् । चांडालादित्यायुक्त्वा । "न संस्कारविधिस्तेषां नैव कार्योद्कित्रया । रोदनं नैव कर्तव्यं सृतकं न च बंधुभिः ॥ . "दाध्वा शरीरं प्रेतस्य संस्थाप्यास्थीनि यत्ततः । प्रायश्चित्तं तु कर्तव्यं पुत्रेश्चांद्रायम्य "। इति ।

स्पृतिरत्नावप्यादावप्युक्तम्

"आत्मनो घातशुद्धचर्थं चरेचांद्रायणद्वयम् । तप्तकुच्छ्रचतुष्कं वा त्रिशत्कुछ्राणि वा पुनः ॥ "अर्वोक्संवत्सरात्कुर्योद्दहना।दे यथोदितम् । कृष्णनारायणबित्रमितित्यत्वात्तदायुषः॥" इति । इद्मेवदिग्रह्यामादौ । तत्प्रकारं स्फुटत्वायाहेति । **नारेति** । इत्थं वश्यमाणप्रकारेण वैवस्वतं च

१ अत्र शोधपत्रत्रयम् ।

यमित्येका देवता। नद्यामित्यस्य तात्पर्यमाह। न पत्न्यादीति। न योषितः। अहोरात्रमिति शेषः॥ यज्ञावृता तत्प्रक्रियया। अवनेजनं जलसेचनं । परिवारेति यमिवशेषणम् । तन्मध्ये शेषषष्टचा समासः। पत्रित्तभीणं (?) यावत् तत्समाप्तिपर्यंतम् । भाद्रपदशुक्रुपंचम्या प्रारभ्य वर्ष-पर्यतं प्रतिशुक्रुपंचमि यथाक्षममनंतादिद्वादशनामिभर्नागपूजां विधाय यथाशक्ति बाह्मणान्भोज- यित्वा प्रतिपंचम्युपवासं चजुर्थ्येकभक्तपूर्वकं पंचम्यां नक्तभोजनं कृत्वांऽते नागादिव्यासोहेशेन प्रवाह्मणात्र दत्वोर्ध्वदेहिकं कुर्यादिंति सर्वार्थः । एवं प्रकारमुक्त्वा तत्करणे मानमाह । नारेति । वैष्णाय विष्णपराणे । एकेति ।

"इंद्रियेरपरित्यक्ता ये च मूहा विवादिनः। घातयंति स्वमात्मानं चांडालादिहताश्च ये ॥ "तपां पुत्राश्च पोत्राश्च दयया समिम्लुताः। यथा श्राद्धं प्रतन्वंति विष्णुना वै प्रतिष्ठितम् ॥

"तत्सर्व संप्रवक्ष्यामि नमस्कृत्य स्वयंभुवे" इत्यादि । अत्र सर्वत्रानुपूर्वी प्रागुक्तैव । क्वचित्पाठ- १ ० कमस्यान्यथात्वेऽपि "पाठकमादिति" न्यायात् । अन्यथा समाहित इति । समाहितानिति पाठांतरम् । यथाज्येष्ठं ज्येष्ठक्रमेण । हविषेति । हविष्येति पाठांतरम् । पवोऽप्यर्थे । आचम्य आचम्य । तत्र विशेषमाह । एकमिति । वृद्धतमं । अन्यतममिति पाठांतरं । तिलांभ इति शाकम् । पार्थिवादिः । तदीयं गात्रं नाम च वृध्यारूढं कृत्वा विष्णुमते तदिभमते ।

सर्पहतोक्तिविशेषे मानमाह। सर्पदंशनिमित्तिमित्ति। बहुवीहिः । विधेरदर्शनादाह। परकृति- १५ रूपेणैति । तथा च तन विधिः कल्प इति भावः । सुवर्णभारेति ।

"नागदृष्टः पिता यस्य आता वा दुहिताऽथ वा । मातापुत्रोऽथ भर्ता वा कर्तन्यं तद्भद्स्व मे ॥" इत्यादिः अस्यादिः । "तुलास्त्रियां पलशतं भारः स्याद्धिशातिस्तुला" इत्यमरः (२।९।८७) । सुवर्णतारित पाठांतरम् । तदा तारमुत्तमं च तत्सुवर्णं चेति कर्मधारये राजदंतादित्वं कल्यम् । यद्दा तारं रोप्यं दृंदं कृत्वेत्त्यस्य व्यासाय दत्वेत्यत्रान्वयः । तथैव गामित्यस्यापि गामेव २० चेत्यर्थकस्य । एवन प्रत्यक्षत्यस्त्र्यक्षेत्रतिरासः । 'आप्तवानितीति' पाठः । यद्यपि चेष्णवा-दात्मघातिनामेव नारायणविल्रायाति तथापि निमित्तमात्रस्य संवत्सराद्वध्वमीध्वदैहिकस्य विधायकंपदित्रंशन्मतात्तद्देता संपादनार्थं प्रायश्चित्तार्हाणां ब्रह्महादीनामिष सः । तथा च बौधायनस्त्रम् । (३।२१।१–२२) "अथातो नारायणविल् (संस्कारविधिं) व्याख्यास्यामः

''चंडाहादुद्कात्सर्पाद्वाद्मणाद्वेयुताद्पि । दंष्ट्रिन्यश्च पशुभ्यश्च मरणं पापकर्मिणाम् ॥

विषशस्त्र ज्जुपाषाणदेशांतरमृते वाऽभिशस्तसुरापात्मत्यागिनां ब्राह्मणहतानामन्येषां च द्वादशवर्षाणि त्रीणि वा यत्र मरणं यस्य यस्य तत्र कुर्वीत । असंहितानां पालाशाग्रमेवासूयवर्ण-सुरणां कृष्णाजिने पुरुषाकृतिं कृत्वा होतारकल्पेन वा पैतृमेधेन वा संस्कारं कुर्यात् । अथ प्रयोग-मंत्रानपोद्धृत्य पुरुषसूक्तस्य प्रत्यृचं तत्तन्मन्त्राणां स्थाने पृथक्षप्रयोगो भवत्यपि वा तृष्णीं सर्व कियेत । याम्यसूक्तेनोपोषणं पोरूषेणोपस्थानं समानमत ऊर्ध्वम् । तीर्थे स्नात्वा प्रेतायोदकित्रयां ३० कृत्वा नामगोत्रमनसा ब्रुते 'नारायणैतत्ते उदकमिति' वाचाभिव्याहरेत् । स एवमेव सायंप्रातर्दश-रात्रं करोति त्रिरात्रं वा करोति त्रिरात्रेण वा पिंडपदानेऽसावेतत्ते पिंडम् इति विशेषः ।

एकाद्र्यामेकोद्दिष्टम् । "एवं प्रेतायामुध्मै यमाय च स्वाहेति" अश्रोकरणे वा प्रतिग्रहणे प्रदाने विसर्जने च "नारायणाये"त्यनेन मंत्रेण करोति । सर्व मनसा संकल्पयेद्वाचाऽभिव्याहरेत् । पर्व-त्रये च षाण्मासिके च समानम् । संवत्सरे सिपंडीकरणम् ।

"सपिंडीकरणस्थाने नारायणबलिकिया । सायंप्रातर्न विद्यते सोयं ब्रौधायनमतं यथा ॥

"द्वयोरयनसंकात्योः पुण्येषु दिवसेषु वा । अथवाऽपरपक्षस्य किया भवेत् । सिपंडीकरण-मेतेषामन्येषां च समानम् । प्रेतपात्रं पितृपात्रे वा असिंचेत् । प्रेतपिंडं निनयेत् । त्रिषु पितृ-पिंढेषु निद्ध्यात् । असौ पितृभिः पितामहैः प्रपितामहैः संगच्छथ्वं भूर्भुवः स्वरोम् । इति व्याख्यातो नारायणबल्डिः "। अथातो नारायणबल्डिं व्याख्यास्यामो (३।२०) "दक्षिणोत्तरायणयो-रपरपक्षस्य द्वाद्स्यां क्रियेत । पूर्वेद्युर्दाद्शषड्वा ब्राह्मणान्निमंत्रयेत् । योनिगोत्रश्रुतवृत्तसंप-^{९ ॰} न्नान् । अथाऽपरेचुर्देवगृहे नदीतीरे वाऽग्निमुपसमाधाय संपरिस्तीर्य आप्रणीताभ्यः कृत्वोपोत्थायाग्रे-णामिं दैवतमावाहयति पुरुषसूक्ते द्वे ऋचौ जिपत्वा व्याहातिभिर्देवतामावाहयति । अथैनं स्नापयति पुरुषसूक्तेन अथैनं गंधपुष्पधूपदीपैरष्टाक्षरेणार्चियत्वाऽथाद्भिस्तर्पयति केशवं तर्पया-मीति द्वादशनामिः । परिधानप्रभृत्याग्रिमुखात् कृत्वा पकात् जुहोति "विष्णोर्नुकमिति" पुरो-नुवाक्यमनुच्य ''परोमात्रयेति'' याज्यया जुहोति । अथाज्याहुतीरुपजुहोति ''केशवाय स्वाहें"-१५ त्येतैरेव नामधेयैः । अथ गुडपायसघृतामिश्रमन्नं निवेदयति "देवस्य त्वा सवितुः प्रसेवेऽश्विनोर्वाहुभ्यां पूष्णो हस्तास्यां विष्णवे महापुरुषाय हविनिवेदयामीति" सप्तव्याहृतीभिः स्वाहाकारेण जम्मति। व्याहृतिभिराचमनम् । अथ ब्राह्मणानाहूय सदर्भोपक्लप्तेष्वासनेषूपवेश्यार्थेनान्वस्त्रगंधपुष्पधूपदीप-माल्यैरभ्यर्च्य आभ्यनुज्ञातस्तिलमिश्रं हविः समुदायुत्य हस्ते जुहोति "पितृभ्यः स्वधा नमो नारायणाय स्वाहा पितामहेभ्यः स्वधा नमो नारायणाय स्वाहा प्रपितामहेभ्यः स्वधा नमो २० नारायणाय स्वाहे"त्यादि मंत्रमुह्य "सर्वाभ्यः स्वधा नमो नारायणाय स्वाहा । अग्नये कव्यवाह-े नाय क्विष्टकते स्वधा नमो नारायणाय स्वाहा" इत्यथ ब्राह्मणानन्नेन परितोष्य आचम्य तेषां यथाशक्ति दक्षिणां ददाति । प्रदक्षिणीकृत्य शेषमनुज्ञाप्य दक्षिणेनाम्निं प्रागयान्दर्भान्संस्तीर्य तेषु बिलं ददाति ''विश्वेभ्यो देवेभ्यो नमः । साध्येभ्यो देवेभ्यो नमः । सर्वेभ्यो नमः । सर्वाभ्यो देवताभ्यो नमो विष्णवे नमः । नारायणाय नमः । सहस्रशीर्षाय, नमः । यज्ञात्मने नमो यज्ञ-२५ पुरुषाय नमो विश्वात्मने नमः सर्वात्मने नमः । सर्वेश्वराय नमः इति । स्विष्टकुत्प्रभृतिसिद्ध-माधेन वरप्रदानात सर्वान्पितनधिगच्छति ब्रह्मलोके महीयत इत्याह भगवान्बौँधायन इति"। यचप्यक्तवाक्येपर्यालोचनयौर्ध्वदेहिकयोग्यतासंपादने नारायणबलेरेव निरपेक्षसाधनता प्रतीयते तथापि जलाम्युद्धंधनभ्रष्टाः प्रवज्यानाशकच्युता इत्यादिमवाक्ये विषेप्रपतनप्रायशस्त्रघात-हताश्च य इति पाठानुसारादात्मचातिनां तावत्तेष्वमृतेष्वापे आत्मचातनिमित्तं प्रायश्चित्तमपि 3 o तत्पुत्रादिभिः कार्ये । तच व्याख्यानपर्यालोचनयाऽत्रैव चांद्रायणेन शुद्धशंति तप्तकुच्छ्रदयेन वेति पाठाच्छक्त्याद्यपेक्षया चांद्रायणं तप्तकुच्छूद्वयं वा । अत एव

"कृत्वा चांद्रायणं पूर्व किया कार्या यथाविधि । नारायणबिक कार्यो लोकगर्हाभयान्नरैः ॥

"अन्नमिष्टं प्रियं चैव विषे द्यात्सदक्षिणम् । पिंडोद्किक्रिया पश्चाद्वृषोत्सर्गादिकं च यत् ॥

"एकोिह्धानि कुर्वीत सिपंडीकरणं न चेत्" हेमाद्रावुक्तम् । तत् षद्त्रिंशन्मत-वाक्येऽपि केवलं चांद्रायणमुक्तम् । स्मृत्यर्थसाराद्गै तु द्येन चेति पठित्वा समुचितमुक्तम् । मृह्यकारिकायां तु

''प्रमादादिप निःशंकस्त्वेकस्माद्विधिचोदितः । शृंगिदंष्ट्रिनसिव्याळविषविद्युज्जलादिभिः ॥ ' ''चांडालैंबोंहाणेश्र्यौरैनिंहतो यत्रकुत्रचित् । चांद्रायणं तदा कुच्छूद्वयं तस्य विशुद्धये ॥

"षट्कुच्छ्रान्यं च दश कृत्वा तु विधिना दहेदि"त्याद्युत्का "बुद्धिपूर्वमृतानां तु त्रिंश-त्कुच्छ्रं समाचरेत्" इत्युक्तम् । मृत्युविशेषाच प्रायिश्चत्तविशेषोऽप्युक्तः । इदं चात्मघातप्राय-श्चित्तं तत्तज्जातिवधप्रायश्चित्तसमुचितं कार्यम् । ब्रह्महादीनां च प्रायश्चित्तार्हाणां तत्तत्पापक्षयार्थं तत्त्वयोग्यप्रायश्चित्तं कृत्वा नारायणबितः कार्य इति मदनपारिजातस्मृत्यर्थसारादावुक्तम् । १० सर्वत्र प्रमाणं मृग्यम् । पुत्रादिकर्वृकप्रायश्चित्तेन तत्पापक्षयस्य वचनं विना असंभवात् । सत्यपि च पापे नारायणबित्मात्रेण वचनात्तवोग्यताऽस्तु । अत एव माधवेन "जलाग्निपतने चैव प्रवज्यानाश्चेषु च"इत्यादि पराश्चरवायये मर्तुमचग्यजीवितानामेवेदं प्रायश्चित्तं न तु मृतानां तत्कर्तुन्रिवामावादित्युक्तम् । तत्र "शस्त्रघातहताश्च ये" इति वाक्यादात्मघातप्रायश्चित्तं मृतेष्वप्यस्तु । जाति-वधपासं हित्वादिनिमित्तं तु वचनं विनाकथं स्यादिति केचित्। वचनानि प्रागक्तान्यवेति । तदुक्त- १५ मेवेति परे । इदमपि सर्व प्रागुक्तं । प्रायश्चित्तार्हाणामेव तदनर्हाणां तु ब्राह्मे प्रकारान्तरमक्तम् ।

"पिततस्य तु कारुण्याद्यस्त्रीप्तें कर्तुमिच्छिति । स हि दासीं समाहूय सर्वगोदत्तवेतनाम् ॥
"अशुद्धघटहस्तां तां यथावृत्तं व्रवीत्यिप । हे दासि गच्छ मूल्येन तिठानानय सत्वरम् ॥
"तोयपूर्णं घटं चेमं सितठं दक्षिणामुखील उपिवश्य तु वामेन चरणेन ततः क्षिप ॥
"कीर्तयेः पातकीं संज्ञां त्वं पिवेति मुहुर्वद । निशम्य तस्य वाक्यं सा रुब्धमूल्या करोति तत्॥ २०
"एवंक्कते भवेनृप्तिः पिततानां न चान्यथा" । इति येषां मध्यौर्ध्वदेहिकं कार्यं तेषामिप सिपिंडीकरणं न ।

"गोबाह्मणहतानां च पतितानां तथैव च । व्युत्कमाच प्रमीतानां नैव कार्या सिपंडता ॥" इत्युक्तेः ।

"बंह्मणादिहते ताते पतिते संगवर्जिते । व्युत्कमाच मृतेदेयं येभ्य एव ददात्यसौँ ॥ इति । २५ श्राद्धविषेश्च । एवं च पतितानां नारायणबल्यादेनित्यत्वेन "बाह्मणादिहते" इत्यत्र पतित- गहणस्य प्रायश्चित्तानिहिवषयत्वन कथंचित्संभवेऽपि बाह्मणहतादिग्रहणस्यासंभवेनोपपत्तेः प्रेता- भ्युद्यकामनाप्रयुक्तत्वेन यत्तस्य पाक्षिकत्वं केश्चिदुक्तं तन्नादर्तव्यं । लोकगहेति विशेषणेन नित्यत्वावगमाच । नष्टायां फलेच्छायां प्राप्ते वा फले प्रारब्धसमाप्तेरावश्यकत्वं गर्हापरिहारार्थत्वे- नैवीक्तं न्यायविद्धः । अत एव संबत्सरात्प्रागपि तत्कार्यमिति विशेषः प्रागुक्तः । हेमाद्रचादौँ ३० तु प्रागुक्तषद्विश्वनम्मत्वलात्पतितादीनां सपिंडीकरणमपि निषेधस्तु पित्रादिभिन्नविषय इत्युक्तम् । तन्मते बाह्मणादीति वाक्यवलात्त्वौध्वदिहिकानुष्ठानस्य पाक्षिकत्वं वत्सरादर्वोक् कियमाणवृद्धि-

आशौच-याज्ञुवल्कीय

श्राद्धादिविषयत्वे वा तस्याश्रयणीयं स्यात् । यद्गपि तेनोक्तं गोबाह्मणहतपतितानामेव संयत्सरा-दूर्वे नारायणबल्यादि अन्येषां त्वर्वागिति तद्गि न षद्ग्विंदान्मतस्य पतितयहणस्य बाह्म-परिभाषितपतितपरत्वात् । बाह्मणवसिष्ठन्यायेन गोबाह्मणहतानां पृथगुक्तेरिति दिक ॥ ६ ॥

याज्ञवल्कीये ७ श्लोकः।

पविति भावः । अनन्तरं उदकदानात् । प्रेतपरत्वित्रासायाह । कृतिमिति । त्रवेवादावाकांक्षो-दयादिति भावः । अनन्तरं उदकदानात् । प्रेतपरत्वित्रासायाह । कृतिमिति । उदक्काव्दो लाक्ष-णिक इत्याह । दानिमिति । अन्यथा पाठकमे यथार्थकमादाह । स्नातानिति । पुनः स्नाता-नित्यर्थः । समर्थमाह । सम्यगिति । अनेन वस्त्रपरिवर्तनादिकमपि स्चितम् । "शाहोजं वाल-घासयोः । शाद्वलः शादहरिते" इति कोशादाह । नवोद्गतिति । इदं मृदुत्वलब्धं । अन्यार्थ-१० निरासायाह । सम्यगिति । दिवामरणे नक्षत्रोदयपर्यतं रात्रिमरणे स्थाद्वयपर्यतं स्थितानित्यर्थः । अनेन वस्त्रशोषणप्रावरणादिकमपि स्चितम् । तानित्यस्यार्थः पुत्रेति । योग्यतयाऽऽह । कुलेति । वक्ष्यमाणैरपवदेग्रुरिति । अपगतदुःसान्कुर्युरित्यर्थः ॥ ७॥

याज्ञवल्कीये ८ श्लोकः।

तदेवाह । शोकिति । न्यूनतानिरासायाह मनुष्येति । आदिना स्वदं जोद्धि ज्ञपरिग्रहः । १५ भूतजातं प्राणिसंघरूपं । सप्तम्यर्थमाह । तत्रेति । तस्मिन्संसारे इत्यर्थः । अस्य विशेषणद्वयमाह । संसरणेति । धर्मत्वेनेति पाठः । अनिअंतमेतत् । संदिग्धसाध्यधर्मतिवत । संसारः प्रपंचः । तात्पर्यार्थमाह । तस्मादिति ॥ ८ ॥

याज्ञवल्कीये ९ श्लोकः।

किंचेति अन्यद्ग्याहेत्यर्थः । एवमग्रेऽपि । कर्मभिरित्यस्य संभृतत्वऽन्वय इत्याह । जन्मा-२० न्तरोति । तत्र यानि स्वीयशरीराणि तज्जनितैः कर्मरूपबीजैस्त्यिर्थः । स्वकर्मप्रकारमिति क्रिया-विशेषणम् । काय इत्यस्यास्तीति शेषः । वाक्यभेदात्तस्य प्रतिपाद्यत्वेन सिद्धवदनुवादासंभवात् । अत एवाह । स यदीति । तत्र सूचितमनुक्तं बीजमाह । फलोपेति । पुनः पश्चात् ।

तत्र विषये। आत्मा तु नित्य एवेति भावः। क्रेत्यस्यार्थः किमर्थेति। परीति प्रलाप इत्यर्थः। शोक इतियावत्। प्राग्वदाह्। निरिति। तत्त्वमेवाह। वस्तुन इति। वस्तुनः पदार्थस्य तथात्वान्नश्वरत्वादित्यर्थः। तदेवाह। न होति॥ ९॥

याज्ञवल्कीये १० श्लोकः।

किं चेत्यस्यैवार्थोऽपि चेति । अनेन किंचेति न पठितमिति स्चितमिति परे । नामेति निश्चये । इदं मरणमाश्चर्यं न वसुमती ग्रहणमुपलक्षणमित्याह । पृथिव्यादीनीति । 'गंत्रीति'- त्रिजंतपक्वतिकमित्याह । गच्छतीति । उद्घिरिति जातावेकवचनमित्याह । सथिति । पूर्वतो ३० विशेषमाह । जरामरणेति । तत्वेन प्रसिद्धा इत्यर्थः । चार्थोऽपीति कथिकोत्यस्य न

यास्यतित्यत्रान्वयः । अपि तु सर्वथैंव यास्यतीत्यर्थः । 'प्रख्या'शब्दः सादृश्यार्थक इत्याह । सिश्चिमेति । मर्त्येति सूचितमाह । मरणेति । प्राग्वह्यस्यार्थमाह । भूतेति । कथिमेवेति सूचितमाहोचितमेवोति । हि यतः । प्रापणं गमनम् । प्राग्वदाह । अत इस्ति । समेति अभिवेश इंत्यर्थः ॥ १० ॥

'याज्ञवल्कीये ११ श्लोकः।'

अनुशोचनं रोदनं । यत इत्यस्यार्थो यस्मादिति । वदनेति यथासंख्यमन्वयः । मुक्तमित्यंतर्भावितण्यर्थमित्याह । निर्गतिमति । निर्गिलितमिति । पाठो अत्राऽपि । तथा 'श्लेष्मिति' समाहारद्दंद्द इत्याह । श्लेष्मेति । अवशः इत्यस्यार्थोऽकामोपिति । अत इत्यस्याशयर्थस्तस्मा-दिति । इत्यर्थमाह । किंत्विति । इत्यर्थः ॥ ११ ॥

याज्ञवल्कीये १२।१३ श्लोकौ ।

एवमिति योग्यत्वात्कर्माह। कुलेति। संश्रवणं न गमने हेतुरित्यतोऽध्याहारेणाऽऽह। त्यकेति। बालानिति । तान्सर्वान्यथाक्रममग्रतः कृत्वेत्यर्थः । गृहमिति। मृतस्येति शेषः । द्वारि। द्वार्येव । योग्यत्वादाह। स्थित्वेति । विदिश्येति । प्राग्वदित्याह। दशनैरिति । खंडेति । न तु भक्षयित्वे-त्यर्थः । ततस्तत्केतिशेषः। अलभ्य संस्पृश्य। शंबोक्तिमाह। दुवैति । प्रवालशब्दार्थः अंकरेति। अपिना तैलयवायक्षतादिसमुचयः । अञ्मनि द्वारपाषाणे । पदमेकं पादं । 'कूत्वे'त्यस्यार्थो १५ निधायेति । न तु तमुहंध्येति भावः । प्रविशेष्ट्रारिति । बालपुरःसरा एवेति भावः । आश्वलायनोऽपि (४।४।१०-१३) "आसत आनक्षत्रदर्शनात् । आदित्यस्य वा दृश्यमाने प्रविशेयुः । कनिष्टप्रथमा ज्येष्ठजघन्याः । प्राप्यागारमञ्मानमग्निं गोमयमक्षतांस्तिलानप उपस्पृशं-तीति" । अवधिद्वयन्यवस्थाका पारस्करेण (३।१०।३५-३६)। "प्रेतस्पर्शिनो न ग्रामं प्रविशेषु रा नक्षत्रदर्शनात् । रात्रौ चेदतीतस्य" इति । हारीतेन तु बहिःस्थित्यसंभवेऽनु-२० कल्प उक्तः । "ब्राह्मणानुमत्या चेति" । आश्वलायनोक्ताइमस्परीश्च पादनिधानरूपय एव एक-मूलकल्पनालाघवात् । पारस्करोऽपि (३।१०।२४) । "निवेशनद्वारे पिचुमन्दपत्राणि विदश्या-ऽऽचम्योदकममिं गोमयं गौरसर्षपां तैलमालभ्याऽङ्मानमाकम्य प्रविश्वंतीति"। वैजवापेन त केषांचिदालम्भे मंत्राप्यकाः । शमीमालभते "शमीपापं शमयत्विति" अश्मानमालभते "अश्मव-त्थिरो भृयांसमिति" अग्निम् । "अग्निर्नः शर्मयच्छत्विति" । "यस्तु विष्रः शुध्यतीति" मनूको २६ (५।९८) वार्यादिस्पर्शः स आज्ञोत्योत्तरितने श्रुध्यतीत्युक्तेः । एवं चाज्ञोचांत्यदिनकर्त्तव्य-वाचस्पत्यादेस्तद्धांतिमुरुकं आशौचांत्यदिनेऽपि स्नानोत्तरं मधोयद्वाहनादित्यंशिळखनं गोहिरण्यादिस्पर्शो बोध्यः ॥ १२ ॥ १३ ॥

याज्ञवल्कीये १४ श्लोकः।

अतिदेशमाहिति । अन्यवहितोक्तस्येत्यादिः । अस्यातीति क्वित्याठ एव । तदेवाह ।) • यदेतिदिति । अर्थार्थमाह । तन्न केवल्रमिति । परेषामित्यस्य पूर्वत्राप्यन्वय इत्याह । परेषाम-पीति । अञ्चलक्तिः इत्याह । परेषाम-पीति । अञ्चलक्तिः इत्याह । परेषाम-पीति । अञ्चलक्तिः इत्याह । निर्हरेति । प्रसक्ति । प्रसिद्ध इत्याह । निर्हरेति । तद्युपलक्षणामिति भावः । अस्य सिद्धत्वेन विषयत्वादाह ।

आशोच-याज्ञवल्कीय

भवतीति । अत एवातथैवावतारितम् । नन्वेवं विवरणवित्रीयमाणयोर्विरोधस्तत्क्रमवैपरीत्यादत्त आह । प्रवेशनिति । अमांगलिकत्वात् । मंगलरूपकमीभिन्नकर्मसंग्राहकत्वात् । द्वितीयवाक्यार्थमाह । तेषां चेति । परेषामित्यर्थः । प्रेतत्यादेरज्ञाप्यन्वय इत्याह । धर्मेति । शुद्धिरिति न पाप इत्याह । शुद्धिमिति । स्वनित । सर्वं वाक्यमिति न्यायेनाह । एवेति । अर्थादाह । शुद्धिरिति । भवतीति । श्रेषः । अनाथमित्यनेन धर्मार्थरेवं प्रवृत्तिः सूचिता। यज्ञश्चात्र प्राथम्यादि ग्रेष्टोम एव। अत एवाऽऽनुपूर्व-मिति सफलम् । अयं चार्थवादः । अशुभम् । अनिष्टं । तक हेतुगर्भं विशेषणं शुभिति । अत्राव-गाहनं प्राणायामस्याप्युपलक्षणं । तेन च सित संभवे नयादिस्नानं सूचितम् । मौलमुभयमिनस्पर्शस्याप्युपलक्षणम् । तथा च पराशर एव

''असगोत्रमबंधुं च प्रेतीमूतं द्विजोत्तमम् । वहित्वा च दहित्वा च प्राणायामेन शुःयति ॥ ''इति । १॰ **अंगिरा** अपि

"यः कश्चित्रिहेवेत्प्रेतमसिपंडः कथंचन । स्नात्वा सचैलः स्पृष्ट्गाऽग्निं तिसम्नेवाह्नि वै शृचिः॥" इति । अत्र ब्राह्मणस्य द्विजोत्तमस्य च यहणमुपलक्षणम् । "मृतं द्विजं न शूद्रेण हारयेन शूद्रं द्विजेनिति" विष्णुस्मृतौ । शूद्रमात्रस्य कर्तृत्वेन कर्मत्वेन च निषेधात् । धर्मार्थामित्युक्तेः फल्माह । स्नेहादिनीत । बंधुवत्सनेहादिना धर्मेण न तु मूल्येनेति तु मेधातिथिः । मातुराप्ता-व्वांधवांश्चेत्येकं निमित्तम् । आप्तयहणं प्रत्यासम्नवांधवमातुलादिग्रहणार्थम् । अत एवासिपंडोऽसमानोदको न सर्वः सिपंडादन्यः । अन्निमित्ति लिद्धम-सिद्धं वेत्यर्थः । गृहे चेति । चोऽन्वाचये । तथा च वासे सत्यसित वाऽसनेन दशाहमित्यर्थः । अत एव तथैव वचने उक्तम् । केवलमित्यस्य व्यावर्त्यमाह । न पुनिरिति । एवमग्रेऽपि । न चा-भातिति तत् ग्रामे वसित चेत्यपि कोध्यम् । अत एव ''ग्रामान्तरवासिनः प्रतस्पृशेष ग्रामं न विशेरे युरानक्षत्रदर्शनाद्दात्रौ चेदादित्यस्येति" हारीतेन (सज्योतिरि'त्युक्तम् । भृतिग्रहणेन सवर्णान्शवनिर्हरणे तु तदन्नमोजनायभावेऽपि तज्ञात्याशौचम् ।

"यदि निर्हरति प्रेतं प्रलोभाकांतमानसः । दशाहेन द्विजः शुध्येत द्वादशाहेन भूमिपः ॥ "अर्थमासेन वैश्यस्तु शूदो मासेन शुध्यिति" । इति कौर्मात् । विशेषमाह । एतंत्सजातीये अयर इति । हीनवर्ण उत्कृष्टम् । उत्कृष्टम्य हीनवर्णं निर्हरणीयाशौचिदिनैः शुद्धिरित्यर्थस्तदाह । २५ विप्रस्येति । एवंप्रकारेण ब्राह्मेऽप्युक्तम्

"ब्राह्मणस्त्वन्यवर्णानां न करोति कदाचन । कामान्मोहाद्धयाष्ट्रोभात्कृत्वा तज्जातितां वजेत् ॥
"पुत्राः कुर्वति विप्रस्य क्षत्रविद्शुद्धयोनयः । स ताहशेभ्यः पुत्रेभ्यो न करोति कदाचन ॥
"राज्ञि मृतेऽसिपंडे तु निरपत्ये पुरोहितः । मंत्री वा तदशौचं तु चीर्त्वा पश्चात्करोति सः॥"इति।
अनुपत्येऽविद्यमानसिपंडे च राजिन मृते स पुरोहितस्तत्प्रयुक्ताशौचं चीर्त्वा तस्मै राज्ञे श्राद्धं
कुर्यादित्यर्थः । मृत्यासवर्णनिर्हारे तु एतत् द्विगुणम् । "अवरश्चेद्वरंचरो वाऽथ वरं यदि वहेव्छते तदा गौ च दृष्ट्वाथे द्विगुणं भवेदिति" व्याघ्यादोक्तेः । यद्वा त्वलंकरणमपि करोति तदा
"कुल्ल्यादोऽसिपंडस्य प्रेतालंकरणे कृते । अज्ञानादुपवासः स्यादशकौ स्नानमिष्यते" ॥ इति

प्रकरणम् १ १५ श्लोकः

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इांखों के प्रायश्चित्तं च कार्यम् । शवसंस्पर्शनिमित्तं त्वाशौचं स्पर्शवत एव । तत्तद्भावादे-स्तत्तद्द्रव्यादेश्च । तथा चांगिराः

"अशौचं यस्य संसर्गादापतेत् गृहमेधिनः । क्रियास्तस्य न लुप्यन्ते गृह्याणां च न तद्भवेत्॥"इति। क्रियाः वैतानोपासनायाः । गृह्याणां गृहे भवानां । अतिकांताशौचेऽप्येवमेव ।

"अतिकांते दशाहे तु पश्चाज्जानाति चेद्वृही । त्रिरात्रं सूतकं तस्य न तद्द्वव्यस्य कर्हिचित् ॥" ५ इति स्मृतेः । इदं चं मातापितृभिन्नविषयमित्याद्यप्रे स्फुटीभविष्यति ॥ १४ ॥

याज्ञवल्कीये १५ श्लोकः।

निर्हृत्यापीति । इदं च सकलदाहाद्यौर्ध्वदेहिकस्याप्युपलक्षणम् । "व्रत्येवे"त्यस्य तात्पर्या-र्धमाह । न पुनिरिति । ब्रह्मतेत्यर्थः । तथा च लुप्तवतसंधानार्थं पुनरुपनयनं प्रत्यवायपरिहारार्थं प्रायश्चित्तं च न कार्यम् । आशौचं तु निर्हरणनिमित्तं प्रागुक्तव्यवसायं कार्यमेवेति भावः । मनु- १० देवलावपि (५-९०)

"आचार्य स्वमुपाध्यायं पितरं मातरं गुरुम् । निर्हृत्य तु व्रती प्रेतवते न वियुज्यते" ॥ इति । कटशब्देनित । प्रागुक्तार्थकेनेत्यर्थः । तत्सह सब्रह्मचारी । कटान्नमाशौचान्नमिति । मदन-पारिजातकृत् तात्पर्यार्थमाह। एविमिति । व्रतलोप इति । तथा च श्रष्टब्रह्मचर्यसंधानार्थं पुनस्प-नयनं प्रत्यवायपरिहारार्थं प्रायश्चित्तमाशौचं च कार्यमेवेति भावः । श्वेति तत्संबंधि कर्म कुर्वत १५ इत्यर्थः । देवलोऽपि !

"ब्रह्मचारी न कुर्वीत शववाहादिकाः क्रियाः । यदि कुर्याच्चरेत्कुच्छ्रं पुनःसंस्कारमेव च ॥" इति । अत्रादिनाऽलंकरणादिकमेव न तु दाहादि । तत्र गुरुष्टायश्चित्तस्य वश्च्यमाणत्वात् । दृंद्वांते श्रूयमाणस्य प्रत्येकं संबंधादाह । क्रीतिमिति ॥ १५॥

याज्ञवल्कीये १६ श्लोकः।

्र अस्यासिद्धत्वेनानुवादासंभवादाह। भवेयुरिति । शेष इति । क्रीतं यथा ठब्धं वा । "एका-भमेव भोक्तव्यं क्रीत्वा ठब्ध्वा वान्यगृहादेकान्नमठवणमेकां रात्रिं मुंजीरिन्निति" वैजवापात् । आशौचमध्ये भोजनं च ज्ञातिभिः सह कार्यम्। "आशौचमध्ये यत्नेन भोजयेच स्वगोत्रजान् " इति ब्राह्मात् ।

"तिलान्ददत पानीयं दीपं ददत जाग्रते।ज्ञातिभिः सह भोक्तव्यमेतत्य्रेतेषु दुर्लभम्॥" इति २५ भारतीयाच्च । मरीचिना तु दिनविशेषेषु सहभोजनमुक्तम

"प्रथमेऽह्नि वृतीये च सप्तमे नवमे तथा। ज्ञातिभिः सह भोक्तव्यमेतत्प्रेतेषु दुर्लभम्" ॥ इति। तंच दिवैव कार्यम्। "दिवा चैव हि भोक्तव्यममांसं मनुजर्षभ" इति वैष्णवात् । भोजनपात्राणि चोक्तानि हारीतेन "पाणिषु मृण्मयेषु पर्णपुटेषु चाश्रीरन्निति" । अन्नविशेषनिषेधश्च मृद्यकारिकायाम्

"ठवणक्षीरमाषाचापूपमांसानि पायसं । वर्जयेदाहृताचेषु बाठवृद्धातुरैर्विना" ॥ इति । एते धर्मा अन्यत्रोक्ता बोध्याः । एषु धर्मेष्वनुक्तकाळविशेषाणामवधित्रयं वैकल्पिकमुक्तं बोध्यम् । त्र्यहमिति । अनेन दिनत्रयपर्यतं अयं नियम इति सूचितम् । गृह्यकारोऽप्येवम् । तृणमय इति । अतः कटादिरित्यर्थः । यद्यपि अनशनं नैवोक्तमिति स्मृत्यन्तरारोधाय मौल-पक्षस्यैव प्राधान्यमभिष्रेत्य व्याख्यात्रा अनशनस्य गौणत्वमुक्तम् तथापि तथा स्पष्टविसद्यानु-रोधेन वैपरीत्यमुचितभेदेन शक्ताशके च व्यवस्था । अत एवाश्वलायनोऽपि (४।४।१४–१५)

'नैतस्यां राज्यामञ्चं पचेरन् । क्रीतोत्पलेन वा वर्तेराज्ञिति" बोध्यम् । अक्षारेति अक्षारलवणोभयकानाका इत्यर्थः । अत्र क्षितावित्युक्तेः सद्वाकंबलादिनिषेधो ने तु कटस्य "भूमौ स्नस्तरशायिन" इति विष्णोः । "अधः प्रस्तरे" इत्युक्तवसिष्ठाञ्च । अत एवैवव्यावर्त्यं न सद्वादावित्येवोक्तम् । क्षारगणश्चोक्त अक्षिपुराणे

"तिलमुद्रावृते शैन्यं सस्ये गोधूमकोद्रवौ । धान्यकं देवधान्यं च शमीधान्यं तथैक्षवम् ॥

"स्वित्रधान्यं तथा पण्यं मूले क्षारगणस्मृत" इति । क्षारो यवक्षारादि । लवणं सैंधवादि । लवणं सेंधवादि । निमज्जनं च नदी-तडागादावतीर्यां बुपरिघर्षणादिवर्जितं मार्जनरहितं स्नानमात्रं । मांसाशनं च यावदाशौचं स्मृत्यं - सरे निषिद्धम्। "न स्त्रियमुपेयुर्न मार्जपेयुर्न मांसमश्रीयुरिति" अध इति द्वंद्वायुत्तरं मत्वर्थीयः । सर्वे इति "न मार्जयीरन्मांसं न भक्षयेयुराप्रदानादिति" शेषः । सर्वैः ज्ञातयः सह स्नायुरित्यर्थ । द्वानमेकादशाहादिकं श्राद्धं तत्पर्यतं । तथा च मांसभक्षणादौ मनूक्तव्यहेण विकल्पो बोध्यः । वैपूडवे त्वस्थिसंचयनमेवावाधित्वेनोक्तम् ।

"शय्यासनोपभोगस्तु सिपंडानामपीष्यते । अस्थिसंचयनादूर्ध्व संयोगस्तु न योषिताम्"॥इति । मैथुनं तु यावदाशौचमेव नेत्युर्थः ।

"सिपंडः पुत्रभिन्नः।तस्य तु यावदाशौचमेव । तत् दशाहं कटमुपासीरन्मातापित्रोरेक मरणे " २० इति खौधायनात् । बृहस्पतिरापि

"अधःशय्यासना दीना मिलना भोगवर्जिताः। अक्षारलवणान्नाः स्युर्लब्धकीताशनास्तथा"॥इति। दीना हर्षहास्यादिरहिताः। मिलना मार्जनवस्त्रक्षालनादिरहिताः। अत एव क्षालनार्थं निर्णेजकादिभ्यो वासस्त्यागस्तेनैवाऽऽशौचोपान्त्यदिन उक्तः। "नवमे वाससां त्यागो नसरोम्णां तदंतिके" इति। बाह्ये तु अंत्यदिने एव वस्त्रशुद्धिरुक्ता

"यस्य यस्य तु वर्णस्य यद्यत्यात्पश्चिमं त्वहः । सै तत्र गृहशुद्धं च वस्त्रशुद्धं करहेत्यापि"॥ इति
"प्रथः शृतीयणं कारकारकारकोष्ट्रकिया वाससां च त्यागोंऽते त्वंत्यानामिति" गौतमोकतस्तु तत्त्यागः परिवर्तनमन्नं पिंडदानाद्यौर्ध्वदेहिककालधृतयोस्तु त्याग एव

"ग्रामाद्वहिस्ततो गत्वा प्रेतस्पृष्टे तु वाससी। अंत्यानामाश्रितानां च त्यक्त्वा स्नानं करोति च"॥इति जासात्। यचु मिश्रेगौतमेनांत्यानां शृद्धाणामंतेवासस्त्यागविधानाद्वाईस्पत्यवासस्त्यागस्य द्विज-विषयतया संकोचः कृतः स भिन्नविषयत्वाद्युक्तः। भोगवर्जिताः स्रक्चंद्नादिधारणोच्चासनादि-रहिताः। तेन तैळाम्यंगतांबूळचर्षणादिनिषधः। यस्तु मार्केडेयपुराणे

"तैलाभ्यंगो बांधवानामंगसंवाहनं च यत्। तेन चाप्यायते जंतुर्यज्ञान्नति स्वबांधवाः"॥ इति।

पिण्डदाने देश-धान्यादिनियमाः।

प्रकरणम् १ ° १६ श्लोकः

तैलाभ्यङ्गो विहितः । स त्वन्त्यदिने "ग्रामानिष्कम्य आशौचांते कृतश्मश्रुकर्मणस्तिल-कल्कैर्वा स्नाता विपरिवर्तितवाससो गृहं प्रविशेयुरिति" विष्णूक्ततिलकल्कादिस्नानविकल्पितो दृष्टव्यः । यथपि पितृयज्ञावृतेत्यनेन तत्प्रकारोऽतिदिष्टस्तथापि

"पितृयज्ञं स्वथां चैव न प्रयुंजीत किहीचित्। अनुशब्दं तथा चेह प्रयत्नेन विवर्जयेत्॥

"उपतिष्ठतामयं पिंडः फ्रेतायेति" समुचरेत् । तूष्णीं प्रत्येकं पुष्पं च धूपं दीपं तथैव च"॥ इति भ मरीचिवाक्यात्स्वधादेर्निवृत्तिरित्याह । प्राचीनेति । रमेयाह । तूष्णीमिति । अनस्य पिंडरूपत्वे तूष्णींत्वे चं मानमाह । यथाहेति । विवर्णितमिति कियाविशेषणम् । प्रागुदीची । ईशानी । बहिः पदार्थविवरणमिदम् । इदमुपलक्षणं । देशांतरमपि ब्राह्मे उक्तम् । "द्वारोपांते ततः क्षिप्त्वा स शुद्धां गौरमृत्तिकाम्" । इति ।

"प्रामाद्गहिश्च कर्तव्यं जलाशयसमीपतः । पिंडदानं दशाहानि प्रेतायारण्यमाश्रितैः"॥ इति च । १० श्रुनःपुच्छोऽपि "द्वारदेशे प्रदातव्यो देवतायतनेषु वेति" मृत्तिकाक्षेपश्च स्थंडिलनिर्माणार्थ

"स्थांडिले प्रेतभागं तु द्यात्पूर्वाह्न एव तु । कृत्वा तु पिंडसंकल्पं नामगोत्रेण सुंदरीति" ॥ वाराहात् । विशेषमाह । दभेति । दभीस्तरण इत्यर्थः । अनुपनीतिति । तथा च वचने संस्कार उपनयनमेवेति भावः । विशेषांतरमाह । तथिति ।

एवमग्रेऽपि । तदेवाह । असगोत्र इति । अत्र ययपि द्यादिति सामान्येनोक्तं तथापि १५ व प्रतिग्रहाभावेऽपि पिंडकर्मश्राद्धादौ तदुद्देशत्यागमात्रेणादाधातुप्रयोगसंभवा- दुत्तराद्धं चायदिनकर्मण एव दशाहसमाप्त्यन्ययप्रतीतेर्दाहस्य च तद- संभवात्

"प्रथमेऽहिन यो द्यात्प्रेतायानं समाहितः । अनं नवसु चान्येषु स एव प्रद्दात्यपीति" ॥ ब्राह्माश्च पिंडं द्यादित्येवार्थो बोध्यः । पूर्वोत्तरसंदर्भेण व्याख्यातृसंमतमेवेद्म । विद्योदासीये तु २०

"सगोत्रो वाऽसगोत्रो वा योऽग्निं द्यात्सले नरः । सोऽपि कुर्यान्नवश्राद्धं शुध्येतु दशमेऽहिनि" ॥ इत्युक्तम् । अत्र अपिनाऽन्यसमुर्चयः । तथा च तत्र विकल्पः । तथा च पुत्रायसंनिधाने विप्र- कृष्टाधिकारिणा पिंडदानरूपाक्रिया आरब्धा तत्र मध्ये संनिकृष्टसंनिधानेऽपि विप्रकृष्टेनैव दशा- हांता क्रिया एकादशाहादि तु संनिकृष्टाधिकारिणैवेति भावः । भविष्योत्तरे देशनियमोऽप्युक्तः

"गृहद्वारे इमशाने च तीर्थे देवगृहे तथा । यत्राचो दीयते पिंडस्तत्र सर्वे समापयेत् ॥" इति । विषय अथवा शाकैरपि । अत्र शालिपक्षो मुख्यः । अन्ये मुख्यासंमवेऽनुकल्पाः । तथा च स एव "फलमूलैश्च पयसा शाकेन च गुडेन च । तिलमिश्रं तु दर्भेषु पिंडं दक्षिणतो हरेत् ॥" इति ।

दशाहो विद्यते यस्य तद्दशाहिकम् । एवमुत्तरीयाद्यविपर्ययो द्रष्टव्यः । एतेषां च विपर्यये उक्तं गृह्यकारिकायाम् ''उत्तरीयशिलापात्रकर्तृद्रव्यविपर्यये । पूर्वदत्तांजलीन्द्रवातिंददानं तथैव च" इति । एवं चार्थभेदेन दोष इति तत्रार्थे चमिति केषांचिद्रचोनिर्मूलं बोध्यम् ।

पावाणे इति । भूमौ पाषणे वा तत्र । अत एव "असंस्कृतानामिति गृहद्दारितस्मै प्रेताय पिंडं निर्वपेद्वः । भूमौ सस्त्यं पानीयं चोपलिप्तायां दशुरिति" व प्रचेतः स्मरणम्पि स्मृति राणादिकं पाज्ञवल्कीय
"कुशास्तीर्णभूमो पैतृमेधिकसंस्कारं मंत्रपूर्वकमादित" इति । अत्र चौरस इत्येकत्वं कर्तृत्वं विवक्षितमाधिकारे त्वविवक्षितम् । "प्रमीतस्य पितुः पुत्रैः श्राद्धं देयं प्रयत्नतः" इति वृहस्पतिना सर्वेषामधिकारोक्तेः । एवं "मृते पितरि पुत्रेण क्रिया कार्या विधानतः" इत्यादिशंखादावेकत्वं साक्षात्कर्तृत्वाभिप्रायमेव । अधिकारस्तु फलस्वाम्यास्यः सर्वेषामपि अविभक्तानां स्वत एव साधारण्येन
विभक्तानां च स्वस्वांशप्रदानसंपादितसाधारण्येकेन च दृष्येण साक्षादेकेनं कृतेऽपि सपिंडीकरणांतकर्माण अनुमतिविधानेन कर्तृत्वात् । अन्यथा साधारणस्यैकेन विनियोक्तुमश्रक्यत्वात् ।
यज्ञु मिश्चेरेकस्य कर्तृत्वेऽपि सर्वेषामधिकारोऽस्त्वित्याशंक्य न ह्यन्यकर्तृके प्रयोगेऽन्यस्य कर्तृता
संभवतीत्युक्तं तत्कर्तृत्वाधिकारविवेकज्ञाननिवंधनम् । यद्यप्यन्येषां ज्येष्ठाधिकरण्यवोधकं संगच्छते ।
केचिन्नु शंखोक्तावप्युपल इति पाठः । तथापाठेऽपि पाषाणमये देशे इत्यर्थ इत्याहः ।
व्यास्यातृसंमतं तु वा चार्थे इत्येक एव पक्ष इति शंकानिरासद्वारा विशेषमाह । न चेति । न

- १० व्याख्यावृसंमतं तु वा चार्थे इत्येक एव पक्ष इति शंकानिरासद्वारा विशेषमाह । न चेति । न हीत्यर्थः । हि यतः । असंभवात्मृत्यंतरिवरिधाद्मृहुवचनस्य सर्वाधिकारिसामान्यपरतयोपपत्तेश्चेति तद्र्थः । ज्येष्ठेनैयेति । अत्र किंचित् मूलायनुक्तमाकांक्षितं सविशद्मुच्यते । विभक्तानामिव-भक्तानां वौरसपुत्राणां बहुत्वे सर्वसान्निध्ये च सर्वज्येष्ठ एव पुत्रोऽधिकारी । तस्य स्वरूपतोऽभावे-ऽसांनिध्ये पातित्यानिधिकारित्वे वा तस्माद्वरो वा ताहश इति व्यवस्थितविकल्यः । सर्वज्येष्ठ-
- उतानिक्य पातित्यानायकारित्व वा तस्माद्वर। वा तहिश हात व्यवस्थितविकत्यः । सर्वज्यष्टअप किनिष्ठानामपि बहुत्वे पूर्ववदेव । तथौरसपौत्रिकेयादीनां समवाये पूर्वपूर्वपिठत एव तद्दभावेऽवरोऽवरः ।
 तथा च सुमंतुः "मातुः पितुश्च कुर्वीत मृतयोरौरसः सुतः" कर्त्तव्यप्रयोगोपसंहारासामर्थ्यं तत्र कारणमुक्तं । तद्दिष व्यधिकरणम् । अनुमितद्वारककर्तृत्वस्य शंकितत्वात्साक्षात्कर्तृत्वासामर्थ्येऽपि च तत्रान्येषां सामर्थ्यस्याविद्यत्वात् । न ह्यत्रासामर्थ्यं नान्यत्रासामर्थ्यं भवति हौत्रासामर्थ्यं न वाध्वर्यवे सिपंडीकरणोत्तरभाविनि तु आष्टिकादीन्यविभक्तानामकस्येव विभक्तानां तु पृथक पृथक्
- २० "भातृणामविभक्तानामेको धर्मः प्रवर्तते । विभागे स्तृति धर्मोऽपि भवेतेषां पृथक् पृथक्॥"इति
 नारदात् । एतेन "सपिंडोत्तरभविष्यविभक्तानामनियमः" । इति श्रूलपाण्युक्तमपास्तम् यदपि
 "सपिंडीकरणांतानि यानि श्राद्धानि षोडश् । पृथक् नैव सुताः कुर्युः पृथक् द्रव्या अपि क्षचित" ॥
 इति लखुद्दारीतोक्तिः । पृथक् द्रव्याः । अपिशब्दादपृथक्द्रव्याश्च सपिंडांतानि पृथक् नैव कुर्युः ।
 तदामिमाणि तु विभक्तानां पृथक् अविभक्तानां तु पृथगपृथ्यवेति वचनव्यक्तांगिकारेण तत्र मान२५ त्वेन तेनोक्ता साऽपि वचनव्यक्ताज्ञाननिबंधना अविभक्तानामन्यवत्सिपिंडीकरणांतानि अपृथगेव
 भवंति विभक्तानां त्वन्यवत्तेष्वपि भेदानुष्ठाने प्राते पृथक् द्रव्या अपिसपिंडांतानि पृथक् नैव कुर्युरन्ये
 तु पृथक् कुर्युरिति हि तत्र वचनव्यक्तिने तु सा पृथक् द्रव्या अपीत्यस्यानर्थक्यापत्तेः ।

"एकपाकेन वसतां पितृदेवद्विजार्चनं। एकं भवेद्द्विभक्तानां तदेव स्याद्वृहे गृहे" ॥ इत्यादि-वृहस्पतिविरोधाञ्च।

"अवीक् संवत्सराज्ज्येष्ठः श्राद्धं कुर्यात्समेत्य च । ऊर्ध्वं सिपंडीकरणात्सर्वे कुर्युः पृथक् पृथक्"॥ इति व्यासोऽपि विभक्तानामुत्तरार्धार्थानुवादेन पूर्वार्धार्थविधायकः । अन्यथा समेत्यस्यानर्थक्या- पत्तेरिति दिक् । एवञ्च बहुष्वौरसेषु सर्वेषामधिकारित्वेऽपि साक्षात्कर्तृत्वमेकस्यैवेति सुमंत्वा- दितः प्राप्ते तत्कस्येत्यपेक्षायां प्रागुक्तसिद्धांतसिद्धार्थं मरीचिनोक्तम् ।

"मृते पितरि पुत्रेण किया कार्या विधानतः।

"बहवः स्युर्यदा पुत्राः पितुरेकत्रवासिनः । सर्वेषां तु मतं कृत्वा ज्येष्ठेनैव तु यत्कृतम्" ॥ "द्रव्येण चाविभक्तेन सर्वेरेव कृतं भवेदिति" । यदा एकत्रवासिनः अविभक्ता बहवः पुत्राः
स्युस्तदा सर्वानुमत्या ज्येष्ठेन यत्कृतं तत्सर्वेरेव कृतं भवेत् । फललाभात् । यदापि विभक्तास्तदापि
अविभक्तेन साधारण्येन कृतेन द्रव्येण सर्वेषां तु मतमित्यादीति भिन्नविषयत्या योज्यं । संपूर्णस्य ५
अविभक्तमात्रविषयत्वे द्रव्येण चाविभक्तेनेत्यस्यानर्थवयापत्तेः । द्रव्येण चावीत्येतच्च सिपंडनपर्यतिक्रियाविषयम् ।

"नवश्राद्धं सिपंडत्वं श्राद्धान्यिप च षोडश । एकेनैव तु कार्याणि संविभक्तधनेष्विपि"॥ इत्युक्तेः प्रागुक्तवृहस्पतेश्च । तस्माद्दिभक्तानामभुक्तानां वाऽनेकौरसानां समवायेऽपपतितोऽपि विद्यमानज्येष्ठसपिंडनातं कुर्यात् । तदसंनिधानादौ त्ववरेऽपि पुत्राः षोडशश्राद्धपर्यंतं तावत्कुर्युरेव । 🤊 • तस्य नियतकालकर्तव्यत्वात्प्रतिनिध्यनुकल्पयोश्च मुख्याभावोपाधिकत्वाविशेषात्तुल्यन्यायत्वेऽपि मुख्यद्रव्येणान्यस्य कर्तृत्वं स्वत्वाभाव।दसंभविस्वद्रव्येण कर्तृत्वे तस्मैवाधिकारापत्तिरित्येवंरूपस्य प्रोषिते मृते वा यजमाने याजमाने याजमानेषु प्रतिनिध्यभावन्यायस्य द्रव्याधिकारसाधारण्या-त्पत्न्यामिव पुत्रेष्वप्यप्रवृत्तेः कर्तृत्वांशे तेषामनुकल्पत्वस्य न्यायत्व।द्वश्यमाणपुत्रातिरिक्ताधिकारिणां यद्यपि न्यायात्तन्नेव प्राप्नोति वचनं च "पिंडदोंऽशहरश्चे" त्यादिपूर्वपूर्वस्वरूपाभावोपाधिकमेव १५ तेषाअंशग्रहण इव पिंडदानेऽपि कर्तृत्वं विद्धाति तथापि "असगोत्रः सगोत्रो वा" इति वाक्या-रंभसामर्थ्या ''त्योषितावसिते पुत्र'' इति वचनसामर्थ्याच , पूर्वपूर्वसानिध्यशक्त्यादावपि तेषां तत्र कर्तृत्वमवसीयते । यदि स्वरूपेण पूर्वपूर्वाभाव एवोत्तरोत्तरुस्य कर्तृत्वं तदेदं वचनद्वयमनर्थकं प्राप्त-त्वात्तदर्थस्य यदा तु पूर्वपूर्वसंनिधानाद्यभावेऽप्युत्तरोत्तरकर्टृत्वं तदा तत्सिन्निधानादिना तदन्येनाद्य-दिनकृत्ये कृते पश्चात्प्रत्यासन्नसन्निधौ "प्रवृत्तेऽपीति" चेदिति न्यायेनोत्तरकर्मणि तस्यैव कर्तृत्वे ३० प्राप्ते पुत्रासंनिधों च सपिंडनेऽपि तत्पूर्विकयास्विव भात्रादीनामप्यधिकारे प्राप्ते इदं वचनद्वयम-नर्थवद्भवति । सिपंडनं तु पुत्राः सर्शिकाश्चेत्तदा एकादशाहे द्वादशाहे वा कुर्युरेव पिंडः पितृयज्ञार्थ तेषां तत्काले तस्यानर्थत्वात् । निरभिकैस्तु चरमकालं यावज्ज्येष्ठप्रतीक्षा कार्या । तन्मध्ये ज्ञाते ज्येष्ठेनैव कार्यम् । नोचेच्चरमकाले कनिष्ठैरपि कार्यम् । पूर्वोक्तादेव न्यायात् पुत्रभिन्नानां विशेषो वक्ष्यते । सहग्रमने त लोगाक्षिः "मृताहनि समासेन पिंडनिर्वपणं पृथक् । नवश्राद्धं च दम्प- २५ त्योरन्वासेहण एव तु" ॥ इति समासेन पोकादितंत्रेण पृथक् पिंडनिर्वपणं कुर्यान्नवश्राद्धं च तथा कुर्यादित्यर्थः । दर्शे वर्गद्वयवदिति भावः । अत एव च संगतिः । तथा च प्रचेताः

"एकचित्यां समारू हो म्रियेते दंपती यदि । तंत्रेण श्रवणं कुर्यात्पृथक्। पिंडं समापयेत्" ॥ इति । गार्ग्यः

''एकचित्यां समारूढौ दंपती निधनं गतौ । पृथक् श्राद्धं तयोः कुर्यादोदनं च पृथक् पृथक्"॥इति। ३ ॰ ओदनं पिंडः । स्पष्टार्थमिदम् । भृगुः

"वाद्यन्वारोहणं कुर्य्याद्भर्तुश्चित्यां पतिवता । तां मृताहिन संप्राप्ते पृथक् पिंडे नियोजयेत् ॥

"प्रत्यब्दं च नवश्राद्धं युगपत्तु समापयेत्।" इति । मृताहनीति प्रथमाब्दिकिषयम् । अत एव प्रत्यब्द्मिति सफ्लं युगेत्यनेन समास उक्तः । आयंत्रमहणान्मध्येऽपि तथेति सूचितम् । वृद्धपराशरः

"आरुह्य भर्त्तिश्चितिमंगना या प्राप्तोति मृत्युं सत् सद्वयुक्ता । एकादशाहे तु तयोर्विधयम् श्राद्धं पृथक् स्वर्गनियद्भिरद्भिः ॥ एकलमिति मतिप्रहीना एकदशाहादिषु येन तार्पोः । ते स्वर्गमार्गे विनिहत्य कुर्युस्त्वीसत्वचातान्नरकाधिवासम् ॥

"भर्ता सह मृता या तु नाक्छोकमभीत्सती । सा पृथक् पिंडा सौभाग्यश्रीरस्तु सततं तयोः ॥ "पृथ्योव हि कर्तन्यं श्राद्धमेकादशाहिकम् । यानि श्राद्धानि सर्वाणि तान्युकानि पृथक् पृथक्"॥ इति पराशरमाधवे स्पष्टमिदं एत हे मादि निर्णयामृतपृथ्वीचंद्रोदयादिष्वन्ययोक्तमपास्तम् । इदं चैकमातृविषयेऽपुत्रभिन्नमातृकविषये च । सपुत्रभिन्नमातृकविषये तु सहगमने सर्वज्येष्ठेन पितु-रौर्ध्वदेहिककरणेऽपि तस्याः कनिष्ठोऽपि औरस एव सर्व कुर्यातृथक् न सपत्नीपुत्रो ज्येष्ठ एव तत्र तिमक्षिपतमुख्यपुत्रत्वाभावाभावात् । दाहस्त्वेकस्यामेव चितौ । सिपंडनं तु सर्वज्येष्ठेन पितुरेव पिता-महादिभिः कनिष्ठेन तु पितृसपिंडनदिने दिनांतरेव तद्पि पितृसपिंडनोत्तरमेव संभवति पितृत्व-^{१५} यन्मेनसंयोजने प्रेतसंयोगात् । स्पष्टं चेदं पृथ्वीचंद्रोदये त्रिस्थलीसेतौ श्राद्धमयूखे च । एतेन नवश्रान्द्रमेव पृथगिति परिसंख्ययाऽन्यत्र पृथगुक्तेष्वपि वार्षिकतीर्थसपिंडने चाष्टक्यादिषु समास एवेति मद्नपारिजातनिर्णयामृताष्वनुरोधेन समासविधिवाश्रकाज्ज्येष्ठपुत्रस्य कर्तृत्वे सपनमातुरन्वारोहणं तत्पुत्रे सत्यपि तत्पूर्विकादिकमविभक्तः सपन्नीपुत्र एव ज्येष्ठः कुर्यात्तथीरस इति निर्णयसिधुक्तमपास्तम् । औरसाभावेन पुर्तिकापुत्रादयो मूलोक्तप्रकारेण कुर्युः । तथा च २° "औरसो धर्मपत्नीज" इत्यायुक्तं व्याख्यातं च । तथा ब्राह्मणक्षत्रियजयोक्षत्रियावैश्यापुत्रयो-रप्योरसत्वमित्यादि प्रागुक्तम् । अत एव बाह्ये "पुत्राः कुर्विन्नति" "क्षत्रविट्रशृद्योनयः" इति • क्षत्रियावैश्यापुत्रयोरिप पितृक्रियाकारित्वमित्युक्तम् । शूद्रापुत्रस्य तु द्वादशविधम् । पुत्रामावे तचानुपदमेव वक्ष्यते । औरसाभावे पुत्रिकापुत्रः । स च द्विविध इत्युक्तम् । तद्भावे क्षेत्रजः । सोऽपि दिविध इत्युक्तम् । तद्भावे गृढजः । तत्त्वरूपमुक्तम् । तद्भावे कानीनः । तत्त्वरू-२५ पमण्युक्तमः । तद्भावे पौनर्भवः । तत्त्वरूपमण्युक्तमः । तद्भावे दत्तकः । तत्त्वरूपमण्युक्तं, प्राक् । यतु तत्स्वरूपनोधकमानवे "आपदीत्यस्य ग्रहीतुः पुत्राभावे इत्यर्थ" इति प्राच्येरुक्तम् "आज्यं विना यथा तैलं सद्भिः प्रतिनिधिः स्मृतः । तथैकादश पुत्राः स्यः पुत्रिकारसयोविना" इति बृहस्पत्युक्तेः

"क्षेत्रकार्निक्षाविकारेक्ष्यस्य यथोदिताः । पुत्रप्रतिनिधीनप्राहुः क्रियालोपान्मनीषिणः" ॥ इति ३० किर्यालोक्षेत्रकारिनिधित्वोक्तेश्वेतरवद्दत्तकस्याप्यौरसपुत्राभावविषयत्वसिद्धेरानर्थक्यात्समभि-व्याहारविरोधाच्चोपेक्ष्यम् । दत्तकाभावे क्रीतः । तद्भावे क्रुत्रिमः । सद्भावे स्वयंद्तः । एतेषां स्वरूपाण्युक्तानि । तद्भावे सहोढजः । ननु एतत्स्वरूपं मानवे उक्तम् । "या गर्भिणी संस्कृयत" इति तद्नुपपन्नं। "कन्यामुपपचेतेति" कन्याया एव विवाहविधाना-द्वर्भिणीसंस्कारासंभवादिति चेद्र केचित् संबंधेन कन्यात्वहानिः किंतु मंत्रवत्संस्कारेणैव "पाणिग्रहणिका मंत्रा नियतं दारलक्षणम्। तेषां निष्ठा तु विज्ञेया विद्वद्भिः सप्तमे पदे"॥ इति मनोः (अ०८।२२६्)। अत एव तेन व्यवायपूर्वकत्वेनोक्तयोरिण गांधर्वपैशाचिववाहयो-रस्त्येव पाणिग्रहणहोमादिः संस्कारः। तथा च देवलः

"गांधर्यादिविवाहेषु पुनर्वेवाहिको विधिः। कर्त्तव्यश्च त्रिभिवर्णैः समयेनाग्निसाक्षिकम् "॥ इति। त्रिवागितेव संस्कर्ता गर्भिण्यास्त्वन्य इत्यन्यदेतत्। अत एव च युक्तागमनांगविवाहवत्तत्र धर्ममात्रं होमादि न तु भार्यात्वरुक्षणलेषिककातिशयजनकं संस्कारकभीविवाह एव कन्यामुपयच्छेतेति विधिर्दितीयनिर्देशादित्यपि नांगीकार्यम् । क्षतयोनित्वेऽपि संस्काराभावेन कन्यात्वानपगमादत्रापि तिद्विधिष्ठवृत्तो वाधकाभावात्प्रथमव्यवायेन स्त्रीपुंसयोः कन्यापत्यन्यगमननिषेधातिकमनिमित्तप्रत्य- १० वायसंभवेऽपि अग्रे गांधर्वादौ तस्यव पुंसो गर्भिणीविवाहेऽन्यस्य स्त्रियाश्चोभयत्र तत्परिहारार्थं गांधर्व-गर्भिणीविवाहादेरपि भार्यापत्नीभावसंपादकत्वेन संस्कारकर्मत्वाच । अत एव गांधर्वाद्यद्यां गर्भिण्यां च जातः पुत्रो वोद्धरंवं तस्यां भार्यात्वेन स्वत्वात् नियुक्तायास्तु संस्कृतात्वेनाऽकन्यात्वा-द्वरादिपरिणयनं धर्ममात्रमेव । यद्यपि च नियोगो वाग्दत्ताविषयस्त्यापि वाग्दानसंप्रदानस्य पतित्वोक्तिनियुक्ताजस्य क्षेत्रपुत्रत्वोक्तश्च संपूर्णभार्यात्वाभावेऽपि वाग्दानमात्रेणैव ज्येष्ठस्वत्वं कन्या- १५ त्वापगमश्च वोध्यः। कन्योक्तिस्तु संपूर्णसंस्काराभावाशयेन संपूर्णसंस्कृताया नियोगं निषिध्यमानाया. "यस्यी प्रियेत"इत्याद्यकेः । अन्यथा (मनुः अ. ८।२२६)

"पाणिग्रहणिका मंत्राः कन्यास्वेव प्रतिष्ठिताः । नाकन्यासु क्रचिक्षृणां लुप्तधर्मिक्रियां हि ता''॥ इति निषेधाप्रवृत्तेस्तिद्विवाहिविधिवैयर्थ्यप्रसंगात् । अत प्रवाप्राप्तत्वेनानेकगुणोपादानेन च विधेय-त्वात् भिन्नेऽस्मिन्विवाहे प्रजार्थविवाहाचोदकप्राप्ताऽन्यपूर्वा पर्युदासापवादत्वेन "अपुत्रां गुर्वनुज्ञात" २० इत्यादि व्याख्यातं व्याख्यात्रा । अनन्यपूर्वाशब्दश्च कन्याशब्दसमानार्थत्वादत्तापर एव । न त्वन्यानुपभुक्तापरोपि गर्भिणीसंस्कारानुपपत्तिप्रसंगात् । न चात्र संस्कारो विधीयते । येन नियकावद्वाचनिकं धर्ममात्रमित्युच्यते ।

"वहादपहता कन्या मंत्रैयंदि न संस्कृता। अन्यस्मै विधिवद्या यथा कन्या तथैव सा"॥ इत्यनेनापि वाचोयुक्तिविद्रेषिणापहरणेन कन्यात्वनिवृत्तिरांका पिशाचीनिरासमात्रं क्रियते। न २५ त्वकन्याया एव तस्याः कन्यातुल्यत्वेनान्यपूमै दानं विधीयते। वचनभारकल्पनापत्तेः। अकन्यात्वे वीजाभावाच । अत एव च कानीनः कर्ण इत्यपि युज्यते। अक्षतयोनिवचनत्वे कन्यायाः पुत्र- वाक्यात् वर्ण्यते च शकुंतलोपाख्यानादावितिहासपुराणेषु क्षतयोनिनामपि विवाहः। एवं च

"सर्ववर्णेषु तुल्यासु पत्नीष्वक्षतयोनिषु । आनुरुम्येन संभूता जात्या ज्ञेयास्त एव ते" ॥ इति मानवे (१०।५) क्षतयोनिषु वोद्धरप्युत्पन्नानां तज्जातीयत्वनिष्टस्यर्थमक्षतयोनिष्यहणं ३० पृथगुक्तम् । अन्यथा तासां विवाहसंस्काराभावेन मुख्यपत्नीत्वाभावात् तत्तद्ब्यहणेनैव तत्फरु-रुगमात्तदानर्थवयापत्तेः । न च तासां विवाहः । सत्वेऽपि कर्मानधिकारायज्ञसंयोगनिमित्तपत्नीत्वं नास्त्येवेति वाच्यम् । विवाहरूपयज्ञसंयोगादेव तद्धपपतेः । तस्यापि पूषवरुणादियागरूपत्वात् "पाणिग्रहणिका मंत्रा" इत्यादिनिषेधोऽपि संस्कृताविषय एव न क्षतयोनिविषयः । मंत्रिलंगस्य हेतु-

त्वोक्तेः। मंत्राणां च गार्हपत्याय "भार्यापतिभावाय ते वा महामेव त्वां अददुर्दत्तवंतो न त्वन्यस्मै अह-मेव त्वामिमां पितृकुलात्प्रमुंचामि न त्वन्येन त्वं तथा कृता अर्यमादयो देवा इदानीमिमामितः प्रमुंचंत् न तु पूर्व प्रमुक्तवंतः तानावामिह विवहावहै न तु पूर्व व्यूढावि"त्यादिप्रकारेण संस्कृतापरत्वात् । न त्वेवमक्षतयोनिपरत्वे किंचिन्मंत्रिंगं पश्यामः । सम्भोगमात्रेण तत्त्वत्वापनयनरूपपितृकुरुप्रमोका-५ संभवात् कानीनपैत्रिकेययोमीतामहपुत्राचनुपपत्तिप्रसंगात् । यत्त्ववैवाहिकत्वान्मंत्रार्थमजाननेस्साह-सिकैर्मिश्रकुळ्कभट्टादिभिः "कन्या अग्निमयक्षतेति" (आश्व. गृ:१।७।१३) मंत्रिलंगमुदाहृतं तद-पक्षतेति बहुवचनांतभूतिनर्देशसमिभव्याहाराद्विवृत्तिपाठाच बहुवचनांतादेव कन्यापरकन्याशब्देन संस्क्रियमाणकन्याप्रकाशनाभावादसंस्कृताक्षतयोनिपरत्वेन तस्य संदिग्धत्वादुपेक्ष्यम् । अत एव ''अर्यमण''मित्यादिमंत्राणां पःन्या होतृत्वेऽपि पतिप्रयोज्यत्वमुक्तं वृत्तिकृता। तस्मात्पुरुषसंयोगाया १० अपि संस्काराभावेन कन्यात्वान...ज्यत एव गांधर्वादिवद्वर्भिण्या अपि विवाहः केवलं निषेधाति-कमपूर्वकत्वात्कन्यागमननिषेधाप्रवृत्तिसंपाद्नेन च केवलदृष्टार्थत्वात्तद्वदेव निंद्यः । अत एव गांधर्वा-दीनां मैथुनमात्रं विहितत्वलक्षणमैथुन्यत्वं तज्जातपुत्राणां च संतानावर्धनत्वमुक्तं समृतिषु पूर्वो-पगंतुर्वोद्धश्चान्यत्वेन निंयतमत्वाच विवाहेषु गर्भिणीविवाहस्यापाठ इत्याहुः । मेधातिथ्यादयस्तु कन्याकुमारीशब्दौ प्रथमवयोवचनावनुष्भुक्तपूर्वस्त्रीवचनौ च कोशात्प्रयोगाच न त्वसंस्क्रतमात्र-१५ वचनौ तदभावादेशजीविनी नाम संस्कृतानां गमने कन्यागमनदोषापत्तेश्च । विवाहप्रकरणे तु अनुप-भुक्तवचनावेव होकेऽपि तत्त्रसंगे अज्ञानात् क्षतयोनिं परिणेतुकामस्यान्यैर्नेषा कुमारी नष्टमस्यां कौमारमित्यादिबोधनादिव्यवहारस्य तत्विषयत्वात् अन्यत्रापि प्राचुर्येण तत्रैव प्रयोगाच्च क्षत-योनेरपि विवाहे च गर्भाधानादिसंस्कारांगमंत्राणां "विष्णुर्योनिं कल्पयावि"त्यादीनामसमवेतार्थ-त्वापत्तिर्भेथुनक्षमत्वरूपस्य योनिकल्पना स्यादेव। वृत्तत्वेन प्रार्थनाऽसंभवात्। न च गांधर्वीदिभिन्नोढा-२० विषयत्वं तेषां यक्तम् । अविशेषश्रवणात् । तथा च ''कन्यामुपयच्छेते''त्यक्षतयोनेरेव विवाह-विधानाद्वांधर्वेरुक्षणार्थे "इच्छयाऽन्योन्यसंयोगः कन्धायाश्च वरस्य चेति" मानवे संयोग एकत्र-देशे संगतयोरन्योन्येच्छया "त्वं मे भार्या भवेति" समयरूपो द्रष्टव्यः । पैशाचलक्षणार्थे च "सुप्तां मत्तां प्रमत्तां वा रहो यत्रोपगच्छति" इत्यत्रोपगच्छतिरालिंगनोपगूहन् चुंबनायुपगमनार्थन्यापारो बोध्यः । अत एवाश्वला यनस्त्रम्लस्मृत्याद्गै मिथः समयछलापहरणमात्रं तयोर्लक्षणमुक्तम् । एवं च ्र विवाहविधौ कन्याशब्दस्याक्षतयोनिवचनत्वेन गर्मिण्यास्तदप्राप्तेः ''या गर्मिणी" इत्यत्र संस्कारस्या-नुवाद्रप्रतीतावप्युपपत्या विधिरेव बोध्यः । स च संस्कारः कन्यासंस्कार्वत् न भार्यापत्तिभावसंपा-द्कः प्रमाणाभावात् । किं तु तद्धर्मकं धर्ममात्रं नियुक्तिंस्कारवत्। तस्य च फलं तस्याः कन्यात्व-परभार्यात्वविधिबाधत्वाभावात्तद्गमने द्वितीयोपगंतुः कन्यादिगमनिनिमत्तदोषाभावेऽपि स्वभार्या-त्वस्याप्यभावात् "स्वदारनिरतः सदेति" नियमातिकमनिमित्तप्रसक्तदोषपरिहारे भायीत्वासंपा-ु दनेऽपि तद्देवान्यथानर्थक्यापत्तेः । वोद्धरित्यनेनापि न विवाहप्रत्यभिज्ञातस्य स्वीकर्तृमात्रवाचित्वात् पूर्वोक्तरीत्या गर्भिग्या विवाहाभावात् "तं कानीनं वदेदि"त्यत्राप्येवमेव यद्यनूढा तदा मातामहस्य यबूढा तदा बोद्धरिति मिताक्षरापि। यद्युपगंत्रे दीयते तदा तस्य नो चेन्मातामहस्येत्येवं व्याख्येया विवाहासंभवात तत्रोपगंतैव स्वीकृत्ती गर्भिण्यास्त्वन्य इति विशेषः । एवं च

"सा चेदक्षतयोनिः स्याद्गतप्रत्यागतापि वा। पौनर्भवेन भूर्जा सा पुनः संस्कारमहिति"॥

इति (९।१७६) मानवेऽक्षतयोनेः पुनर्भ्वाः संस्काराईत्वोक्तिः संगच्छते । अन्यथा तस्याः संस्कृतत्वेन तद्नुपपत्यापत्तेः । गतप्रत्यागतायामप्यक्षतयोनित्वमपेक्षितमेव । पूर्वा तु पत्या त्यक्ता विधवा वा । इयं तु स्वयमेव जीवंतं पूर्वपतिं त्यक्तवा आगतेति भेदः । अत एव च गर्भिण्यादिपरि-णयस्य विवाहेष्वपाठः । यत्तु सर्ववर्णेष्वित्यादिवर्णलक्षणार्थं मानवेऽक्षतयोनिग्रहणं तल्लोके-ऽसंस्कृतास्विप रुक्षणया रजेकस्य पत्नीत्यादिपत्नीशब्दप्रयोगदर्शनादत्र च रुक्षिणिकग्रहणार्थे ५ प्रमाणाभावेऽपि मंद्मत्याशंकानिरासार्थमिति प्रपंचेनोक्तं मेघातिथिना तद्याख्यानावसरे "पाणि-ग्रहणिका मंत्रां" इत्याद्यपि अक्षतयोनिपरमेव "कन्यामुपयच्छेतेति" नियमविधेः प्रागुक्तयुक्त्या तत्पर-त्वात् तत्सिद्धार्थानुवादत्वाचैतस्य मंत्रगतानां च तत्वाच्वमिमामित्यादीनां संनिहितवाचिपदानां विधिपरतंत्रत्वेन विधिविषयीभृततत्परत्वात् नियमादिगर्भत्वे च प्रमाणाभावेन मह्यं त्वादुदित्यादीना-मौदासीन्यात् यथाकथंचिच्चयानः । अस्मभ्यमुरुविश्रया ते विवृणोति विवहावहै ततः पश्चादेव १० प्रजां जनयावहै प्रजोत्पत्त्यनुकूलं व्यवायलक्षणव्यापारं करवावहै न तु पूर्वक्कतवंतावित्यादिप्रकारेणा-क्षतयोनिपरत्वस्यापि सुद्र्शनत्वात् । अत एव मेधातिथिना कन्याशब्दस्याक्षतयोनिवचनत्वात् "कन्या अग्निमयक्षतेति" मंत्रे पुरा कल्पे कन्यानां विवाहयागे कर्तृत्वनिर्देशान्मंत्रबलादेव क्षत-योनीनां विवाह इत्युक्तवा तत्रापरितोषात् परमार्थतस्तु कन्यामुपयच्छतेति विधिबलादेव तासां विवाहः । मंत्राः पुनर्विहितमेवार्थमभिवदंति । न पुनर्मत्रेषु कन्याशब्दश्रवणात्कन्यानां विवाह इत्युक्तः । १५ प्राच्येस्तु मीमांसाऽनध्ययनात्तद्रन्थतात्पर्यार्थमजानानैः संस्क्रियमाणकन्याप्रकाशकत्वेनैव "कन्या अग्निमयक्षतेति" तनोदाहतमिति अमेण कन्याविवाहे तस्यासमवेतार्थत्वापत्तिरित्युक्तम् । तद्वपेश्य-मेव । कानीनः कर्ण इत्यादौ तु रुक्षणयाऽसंस्कृतापरत्वं कन्याशब्दस्येत्याहुः । अन्ये तु कन्याशब्दस्यानन्यपूर्वाशब्द्रपर्यायत्वात्सार्वजनीनप्रयोगाच्चादानाक्षयभोगाभावः प्रवृत्तिनिमित्तं एवं चान्यतरसत्वे तद्भावेन कन्यात्वाभावान्मुख्यांवेवाहाप्राप्तेः स्मृतिषूक्तः पुनर्भूसंस्कार उपभुक्ता- २० संस्कारश्चेति द्वयमपि वाचनिकं धर्ममात्रं फलं च तस्य पूर्वोक्तमेवात एव चोभयोरपि विवाहेष्वपाठः।

तथा च मिताक्षरायाम् (पृ. १२ पं. १८) "दानेनोपभोगेन पुरुषांतरापरिगृहीता"-मित्यनन्यपूर्वापदं व्याख्यातम् । अन्यपूर्वा न परिणेयेत्युक्तम् । का साऽन्यपूर्वेत्यपेक्षायां तत्स्वरूप-प्रतिपादकत्वेन "अक्षता च क्षता चैवे"त्यादि व्याख्यातम् । अन्यत्तु पूर्वोक्तमेवेत्याहुः ।

अत्र प्रसंगात्पुनर्भृषिषयं किंचिद्वच्यते । यत्रैका कन्या पित्रादिदत्ता बठादिहता वा २५ स्वगृह्योक्तिषिना सप्तमपदपर्यतं संस्कृता पुनरन्येन तत्र द्वितीयेन समं संभोगे व्यभिचारप्राय-श्चित्तमपि अन्यथा तु पुनर्विवाहमात्रं पित्राद्यनुमत्या बठादिना वा तथैव संस्क्रियते तत्र सा व्यभिचारविक्वित्यायश्चित्तं कृत्वा पूर्वपत्युः स्वीकारार्हा न वेति विचारः । तत्र केचित्तावन्नोति मन्यंते । अयं च तन्मतपरिष्कारः । पुनर्विवाहं विना तौद्यं पूर्वपतिना स्वीकर्तुमश्चम्या "सा चेद्शतेति" मानवात् । पूर्वपतिस्वीकारविचारगोचरापन्नायाश्चास्यागतप्रत्यागतात्वात् पूर्वस्मिन् जीवत्येव ३० क्षतयोनिरक्षतयोःनिर्वा । यत्तु सर्वज्ञस्य गतप्रत्यागतायामप्यक्षतयोनिपदानुषंगकरणं तन्निर्वीजम् । अक्षतयोनिकल्पितांकायाः क्षतयोनित्वस्यैव प्रतीतेविकद्वं चात एवापराककुकूकभट्टादिभिरन्य-

आशाँच-याज्ञवल्कीय

संभोगपर्यंतं व्याख्याता । यतु मेधातिथेरक्षतयोनिपदानुषंगकरणं तत्र बीजमुक्तम् । अग्रेऽपि च किंचिद्वश्यते । विसिष्ठेनापि गतप्रत्यागतापुनर्भूलक्षणेऽन्यैः सहाचरित्वेतिः सामान्येनैवोक्तम् पौन-भवत्वश्च यद्यपि न पूर्वपत्युः पुनर्भूत्वहेतुभूतविवाहकर्तृतया संभवति लोकव्यवहारबलात्कौमार-पतिभिन्नविवाहेनैव पुनर्भूत्वापत्तेर्द्वितीयस्यैव तथात्वात् तथापि द्वितीयविवाहेनैव तथाभृतायाः भ संबंधमात्रेण तत्पूर्वपत्त्युरपि संभवेत्येव । एतेषां तु

"कन्यैवाक्षतयोनिर्या पाणिग्रहणदूषिता । पुनर्भूः प्रथमा प्रोक्ता पुनःसंस्कारकर्मणेति" ॥ सामान्यवचनात्पूर्वपतिकृतद्वितीयविवाहस्यापि पुनर्भूत्वहेतुत्वस्याभिमतत्वात्पुनर्भूत्वहेतुभूतविवाह-कर्त्वृतयापि पौनर्भवत्वं पूर्वपत्युः संभवति । यद्यपि चापरार्ककुळूकभट्टादिव्याख्यानपर्यालोचनया

"कौमारं पितमुत्सृज्य या त्वन्यं पुरुषं श्रिता । पुनः पत्युर्गृहं यायात्सा द्वितीया प्रकीर्तिता" ॥

९० इति नार्दोक्ता स्वैरिणी गतप्रत्यागता न तु पुनर्भूस्तथापि मानवपौनर्भवपदवासिष्ठवचनस्वरसानुसारिसर्वज्ञव्याख्यानस्यैव तैः पुरस्कृतत्वादक्षतयोनेरेव च विचारविषयत्वांगीकारादेतदुक्तम् ।
तस्मात्पुनर्विवाहं विना तायदियं पूर्वपत्युः स्वीकारानहीं । पुनर्विवाहश्च कलौ निपिद्धः "ऊढायाः
पुनरुद्दाह"मिति । यद्यपि चेदं निबद्धव्यवहारात्पुनर्भूविवाहनिषेधकं तथापि पूर्वपतिकियमाणपुनविवाहस्यापि संबंधमात्रेण सामान्यवचनबलात्पुनर्भूत्वापादकत्वेनेव च पूर्ववत्पुनर्भूविवाहत्वं द्रष्टव्यम् ।

१५ निषेधस्य प्रापकवचनसापेक्षत्वात् ।

न च युगांतरे पुनर्भविवाहस्यानिषिद्धत्वेन गांधर्वादिक्तपत्वादानानपक्षस्येवात्तरभार्यात्वापादकत्वसंभवाद्यापचोभयभार्यात्वासंभवात् द्वितीयपुक्षविवाहेन तद्धार्यात्वोत्पादकेन पूर्वभार्यात्वनाशस्याव्यागिकार्यत्वान्नष्टभार्यात्वसंधानार्थं युगांतरे गतप्रत्यागतायाः पूर्वपतिना पुनर्विवाहोऽपेक्षितः पुनरुपनयनिव नष्टवतसंधानार्थं पापविशेषे ब्रह्मचारिणः । कलो तु तस्य निषिद्धत्वेन
२० सिपंडादिविवाहवदुत्तरभार्यात्वानापादकत्वात्पूर्वभार्यात्वस्यानिवृत्तेनं तत्संधानार्थं पुनर्विवाहापेक्षानिषेधातिक्रमनिमित्तप्रायश्चित्तमात्रानुष्ठानोत्तरं तु पूर्वपतिना तत्स्वीकारे न कोपि विरोध इति
वाच्यम् । निषिद्धेनापि पुनर्भूविवाहेन रोगिणीसंचारिरोगदोषान्वितकुलजाविवाहेनेव भार्यात्वोत्यत्तौ बाधकाभावात् । तत्र प्रजानुत्पत्तिरोगसंचारादिक्तपद्दष्टिवरोधपरिहारक्वत्र "इत्यताः कश्चपप्रोक्ता दहाति कुलमभिवत् " इत्यादिवचनबोधितकुलक्षयादिपरिहारस्येव फलत्वात् । अत एव
२५ मेधातिथिना बाह्मणादीनां निषिद्धेषु गांधर्वादिविवाहेषु विवाहकार्यसिद्धिरंगीकृतम । किं च
विवाहप्रकरणाधीतोऽन्यपूर्वापर्युदापर्युदासस्तदंगमिप विषयविशेषे पुनर्भूविवाहविधिना बाधित एव ।
युगविशेषपुरस्कारतिनिष्ठेसत् विवाहप्रकरणाधीनतो न तदंगमिति न तद्तिकमे भार्यात्वानुत्पत्तिः ।
किं तु स्वतंत्रः पुंसः प्रत्यवायः । किं च विवाहप्रकरणाधीनयोः कन्यानन्यपूर्वाशब्दयोर्भेधातिथिमतेऽनुपभुक्तपूर्वस्रीवचनात्क्षतयोनिपुनर्भ्वामस्तु भार्यात्वानुत्पत्तिः । एतैस्तु अक्षतयोनेरेव
२० विचारगोत्रत्वांगीकाराहतसंस्कारमात्रायामक्षतयोनौ तस्यां भार्यात्वात्त्रत्तौ किं वाधकम् । तस्मात्

द्वितीयविवाहोत्पन्नोत्तरभार्यात्वापोदितपूर्वभार्यात्वापादानाय पूर्वपितना समं तिद्ववाहस्यावश्य-कत्वात्तस्य च कलौ निषेधान्नेयं पूर्वपितस्वीकारार्हा । किं च सर्वधर्मशास्त्रे पुनर्भूतत्पितिद्पत्या-नामसंव्यवहारत्वमात्रं तत्र तत्रोक्तम् । न तु कापि प्रायश्चित्तम् । किंचित् तेन तेषां पितितो-त्पन्नमपत्यवंत्प्रायश्चित्तान्हित्वावगमात्पुनर्भूसंसर्गपिरहाराय स्वस्य पुनर्भूपितित्वपिरहाराय च शास्त्रतो न सा पूर्वपितना स्वीकार्येति प्रत्यक्षरव्यधिकरणवाचोयुक्तावि कथंचित्पिरिक्कृतेऽस्मिन्केषां- ५ चिन्मतेऽभ्युपेक्ष्य तावद्श्रमः । भवत्वियं पुनर्भू गतप्रत्यागता भवतु च तस्या विवाहिवना पूर्वपत्यसंग्रा-द्यत्वम् । न पुनर्रयं विवाहः कलौ निषिध्यते । "ऊढायाः पुनरुद्दाहिम"त्यस्य "हृताक्ष्तायाः कन्यायाः पुनर्दानं परस्य च" इति स्मृत्यंतरेकवाक्यतया "सा चेदश्चतयोनिः स्यादि"त्येतद्वाक्यविहित-कौमारपितिभिन्नकर्तृकदितीयविवाहिनषेधकत्वादेकमूलकल्पनालाघवात् । अत एव पूर्वपितकर्तृक-द्वितीयविवाहस्य पुनर्भूत्वापादकत्वेऽपि न निषेधविषयता ।

वस्तुतस्त न तस्य तथात्वं परिवेत्तुकर्तृके द्वादशादिवर्षप्रतीक्षोत्तरकृतौर्ध्वदैहिकपुनरागत-कर्त्तुके च पुनर्विवाहं पुनर्भृज्यवहाराभावेन लोकज्यवहारबलात्पूर्वपतिभिन्नकर्तृकस्यैव विवाहस्य तथात्वावसायात् पुनःसंस्कारनिमित्तकपुनर्भूलक्षणार्थे "कन्यैवाक्षतयोनिर्वेत्यादि"नारदीये सामा-न्योक्ताविप तत्तुल्यार्थे ''सा चंदक्षतयोनिः स्यादिति" मानवे सर्वैः कौमारपतिभिन्नस्यैव पौनर्भवत्वेन व्याख्यानाच्च उपपदाभावादायविवाहपरेणोढाशब्देन समभिव्याहारात्पुनःशब्दाच तदव्यवहित- १५ तत्सजातीयविवाहपरात्पुनरुद्वाहराब्दादप्याद्यपरिणेतृभिन्नविवाहस्यैव निषेधोऽवगम्यते। यद्यपि ताव-त्पुरुषस्प्रयोगमात्रापनोयस्य कन्यात्वस्य संस्कारमात्रेणानपगमात्संस्कृताया अपि कन्याशब्दवाच्य-त्वाद्ननन्यपूर्वाशब्दस्य च तत्पर्यायत्वाद्निषिद्धत्वान्निषिद्धत्वेऽपि वा रोगिण्यादिविवाहवदाय-वोद्धतदन्यकर्तृकयोर्द्वयोरापि आद्यभिन्नविवाहयोर्भार्यात्वोत्पार्कत्वं तथापि भिन्नकर्तृक एव विवाह-स्तत्कर्वकाद्यविवाहसजातीयोऽपर्वभार्यात्वोत्पादकत्वम् । तथापि भिन्नकर्तृक एव विवाहस्तत्कर्तृकाय- २० विवाहसजातीयोऽपूर्वभार्यात्वोत्पादकतयाऽभिमतो न तु तत्कर्तृक एवान्यस्तस्य नष्टतत्संधानार्थत्वात्। यदा त्वन्यपर्वापनर्भशब्दयोः पर्यायत्वात्पनर्भृत्वे च संस्कारपुरुषसंयोगयोर्द्वयोरपि प्रत्येकं हेतुत्वस्य मुळक्कतारदादिसमृतिकारैर्विज्ञानेश्वरादिनिबद्धभिश्च बहुषु स्थलेषुक्तत्वादादानेनोपभोगेन वेत्या-दिविवरणाञ्चानन्यपूर्वाशब्दस्य तत्पर्यायत्वात्संस्कृतान्यानुपभुक्तस्रीवचनत्वम् । या तु मेधातिथेः कन्याशब्दस्यानुपभुक्तमात्रस्रीवचनत्वोक्तिः पैशाचविवाहलक्षणव्याख्यानावसरे सा तस्यान्यासं- २५ स्कृतामात्रवचनत्वरूपप्राचीनमतनिराकरणमात्राशया । तथा च संस्कृतोपभुक्तपूर्वयोर्द्वयोरापि विवाहः पर्युद्रस्त एव। यतु ''वोद्धः कन्यासमुद्भवामितिं" ''वोद्धः स गर्भो भवतीति" च पुरुषसंप्रयोगहेतुक-पुनर्भूविवाहदर्शनं तत्र यद्यपि कन्यायाः प्रायश्चितापनीतदोषाया विवाहसंभवोक्तं शक्यस्तथापि ''मातामहसुतोमत'' इति पक्षे पुत्रस्य मातामहेन संगृहीतत्वात्केवलायास्तत्संभवेऽपि ''वोद्धः कन्येति'' पक्षे गर्भिण्या इव सपुत्रायास्तदसंभवादेकस्तावदयं परिहारः । नात्र नियुक्ताक्षतपुनर्भूवद्विवाहो ३० विधीयते । कन्याया एव च विवाहविधानादन्यतोऽपि नासौ प्राप्नोति । अतो अनन्यगत्या तत्सं-स्कारवोद्धत्वोक्तिः स्वीकारमात्रविषया । संस्क्रियते स्वीक्रियते वोद्धः स्वीकर्तुरित्यर्थः । तथा च नेदं विवाहदर्शनमिति । अपरस्तु भवत्विदं विवाहविधानम् । तथापि नासौ भार्यात्वोत्पादको नियुक्ता-विवाह्वत् । विं तु वाचनिकं धर्ममात्रं सहोद्धकानीनपुत्रपरिग्रहांगं दत्तकपुत्रपरिग्रहांगहोमादि-

वत् । भार्यात्वोत्पाद्के संस्कारकपविवाह एव च द्वितीयानिर्देशात्कन्यात्वमंगं नान्यत्र स्वभार्यात्वा-भावान्नियुक्तावच्च तद्गमनविधानाभावार्त्तं प्रत्यवाय एवेति । यद्पि "सा चेद्शते"त्याद्वि-संस्कारहेतुकपुनर्भूविवाहदर्शनं तत्र विवाहविधेः स्पष्टत्वादाचपरिहारासंभवात्पौनर्भवपुत्रोत्पादक-गमनांगभूतमक्षतयोनौ वाचनिकं तत्र विवाहविधेः स्पष्टत्वादाचपरिहारासंभवात्पौनर्भवपुत्रोत्पादक-गमनांगभूतमक्षतयोनौ वाचनिकं धर्ममात्रमित्येवतावद्कः परिहारः । पुनःसंस्कारत्वोक्तिश्च भार्या-त्वाभावे सहोढाद्गीनां कथं तत्पुत्रत्वमिति वाच्यम् । तद्भावेऽपि ठौकिकस्वत्वमात्रेण पौत्रिकेय-कानीनयोरिव मातामहपुत्रत्वस्य तेषां तत्पुत्रत्वस्य संभवात् । अत एव तत्र तत्र तेषु ब्राह्मणाच-भावोक्तिर्दृश्यते । स्वत्वं च कन्यायां गर्भिण्यां "या पत्या वा परित्यक्तेति" प्रागुक्तायां सा चेदिति तच्छब्दपरामृष्टायामक्षतयोनौ च पित्रादिदानात्स्वयंदानाद्वेति ।

अपरस्तु पुनःशब्दात्संस्कारविवाहस्यैव प्रत्यभिज्ञानात्सामान्यभृतानन्यपूर्वापर्युदासापवादेन विषयविशेषे भार्यात्वोत्पादकतद्विधिरेवायं पर्युदासश्च क्षतयोनिभर्त्रधीनाक्षतयोनिविषयकः भर्तृ-पित्यागेन तन्नाशेन वा मध्यकायाश्च वचनवशात्पित्रादिभिः परिग्रहेण स्वत्वमापाग्रदानसंभवान्न ब्राह्मणादिरूपत्वेऽपि तद्विवाहस्य वैगुण्यं गांधर्वादिरूपत्वाद्वा न तद्पेक्षेति । यद्वा द्विविधाया अपि पुनर्भ्वा अयं विवाहो वैधोऽपि श्येनतुल्य एव । अत एव तत्पतितत्पुत्राणां श्राद्धादौ प्रति-१५ षेधादसंव्यवहार्यत्वं तत्र तत्रावगम्यत इति प्राचीनसरणयः । अत्र च सर्वत्र मूंलभृताः प्रामाणिक-निबंद्धृणामुक्तयो न्यायाश्च सम्यक्परिशीठितधर्मशास्त्रपूर्वमीमांसानामुपासितगुरूणां सुलभा एव ।

मम तु प्रतिभाति संस्कारपुनर्भूविवाहविधिवदुपभोगपुनर्भूविवाहविधिरपि विषयविशेषे सामान्यभूतानन्यपूर्वापर्युदासापवादरूपो भार्यात्वानुकूल एव । पर्युदासश्चासंजातपुत्रा संजात-गर्भोपभोगपुनर्भूविषयकः । उपभोगमात्रेण च पुत्रिकावदुपगंतृस्वत्वाभावात्पित्रादिभिद्र्गनमुपुक्त२० मात्रायाः संभवत्येव शास्त्रातिकृमपूर्वकत्वात्केवलदृष्टीर्थत्वाच केवलं निंद्योऽन्यपूर्वाविवाहः । यद्दा५नन्यपूर्वायामलभ्यमानायामनुकल्पत्वेन द्विविधाया अप्यन्यपूर्वाया विवाहः शास्त्रेण विधीयते ।
यथा केषांचिन्मते पंचमसप्तमपर्यतं विवाहे निषिद्धेऽर्वाक् तद्विधिरनुकल्पत्या तद्वत् ।

अत्रायं निष्कर्षः । संस्कारपुनर्भूविवाहवित्रयुक्ताविवाहवच्चोपभागपुनर्भूविवाहस्यापि भार्यात्व-जनकत्या धर्ममात्रतया वा धर्म्यत्वे कठौ शिष्टानां तदननुष्ठानस्य मूळभूतं कितिनेषेधवाक्यं २५ कल्पं भवति । "ऊढायाः पुन"रित्यनेन तिन्निषेधासंभ्कात् । द्विविधपुनर्भूविवाहस्यापि इयेनतुल्यत्वे च कठौ संस्कारपुनर्भृविवाहनिषेधानुपपत्तिः । "कठौ युगे त्विमान्धर्मानि"त्यन्ययुगधर्माणामेवं कठौ निषेधावगमात् यथाश्रुततृतीयदशमादिमेधातिथियंथालोचनया संस्कारपुनर्भृविवाहस्य भार्यात्वो-त्पादकत्या वैधत्वमेव । उपभोगपुनर्भृविवाहस्य तु वोद्वरिति पदस्य स्वीकर्तृवचनत्वाद्वैधत्वमेव न । वैधत्वेऽपि वा धर्ममात्रत्वमित्यंगीिक्रयमाणेऽपि विज्ञानयोगिप्रभृतीनां श्राद्धादिषु पौनर्भवादि-। निषेधस्य श्रमप्रसिक्तपूर्वकत्वांगीकारः "सजातीयेष्वयिमि"त्युपसंहारोपपत्तये च तेषामेव जनकद्वारा सजातीयत्वोक्तिरुपनयनाद्यभावोक्त्यादिकं च सर्वे विरुद्धमापद्येत । मधातिथेरिप वर्णलक्षणा-व्याप्तिशंकाग्रंथे पौनर्भवग्रहणमसंगतं स्यादिति बहु व्याकुलं भवति । तस्मादुपभोगपुनर्भूविवाह-विधेरस्पष्टत्वादस्तु तत्रावैधत्वपक्षोऽपि । वैधत्वेऽपि इयेनतुल्यत्वं धर्ममात्रं वा अत्ये चाचारानुमितः

कलौ तिन्निषेधः संस्कारपुनर्भृविवाहस्य तु विधेः स्पष्टत्वात्कलिनिषेधानुपपत्तेश्च वैधत्वेऽपि धर्म-मात्रत्वमेवेति दिङ्मात्रमत्र। विस्तरस्त्वन्यत्र बोध्यः। ततश्चानन्यपूर्वाशब्देन संस्कृतोपभुक्तपूर्वयोर्द्वयो-रिप विवाहस्य पर्युद्दस्तत्वात्तद्वतिक्रमे च रोगिण्यादिवहृष्टविरोधाभावेन भार्यात्वान्तरपत्तेरेव स्वीकार्य-त्वाच द्वितीयकर्र्यकविवाहस्य भार्यात्वोत्पादकता न च ''द्हंति कुलमग्निवदिं'त्यादिवाक्यबोधित-कुलक्षयादिरूपदृष्टविरोधंसत्वाज्ञद्भावोऽसिद्ध इति वाच्यम् । तस्यार्थवादमात्रतया भार्यात्वानु- ५ त्पत्तेरेव तुत्रालंबनत्वात् । अनन्यपूर्वत्वस्य कुलक्षयादिपरिहारमात्रोपयोगित्वे च विवाहस्यावांतर-भार्यात्वे परमफले च रातिप्रजादावनुपयोगितया स्वतंत्रपुरुषार्थत्वापत्तेवाक्यप्रकरणावगम्यमान-विवाहांगत्वभंगापत्तेः । "कांताऽरोगिणी भ्रातृमती"त्यादीनां दृष्टरतिप्रजाद्युपभोगसंभवाददृष्टभार्या-त्वानुपयोगित्वेऽपि फिलिसंस्काराणाामिव न विवाहांगत्वानुपपत्तिः । संचारिरोगदोषरहितकुळजत्व-स्यापि दौःशील्यव्याध्यादिपरिहारार्थतया तस्मादनुशिष्टं पुत्रं लोकामाहुरित्यादिवाक्यावगते १० समीचीनप्रजारूपे दारसंग्रहफले उपभोगितया विवाहांगत्वोपपत्तेईष्टार्थत्वमेव । अस्ति च कन्या-कुलरोगदोषाणां प्रजायामपि संचारे स्वतंत्रप्रमाणम्। "मातुः कुलं द्विपदो हरंति"। "सर्वे संकामिणो रोगा वर्जियत्वा हि कामि''त्यादि। एतदर्थमेव च विवाहप्रकरणे संचारीति रोगदोषाणां। न च पुनर्भु-त्वस्य कुलक्षयादिहेत्त्वे किंचित्रमाणं तादृशमस्ति । दहंति कुलमित्यादेविवाहविधिशेषतयाऽर्थ-वादमात्रत्वात् । 94

यस्तु मेधातिथेर्बाह्मणादिष्विप गांधविदेर्भार्यात्वहेतुत्वाभ्युपगमः स ब्राह्मणादिष्विप गांध-विदः "षडानुपूर्व्या विप्रस्ये"त्यादिना विहितत्वात्। "चतुरो ब्राह्मणस्याद्यान्प्रशस्तान्कवयो विदुः" इति वचनादनुकल्पत्वं तु तेषां न त्वत्यंतिनिषद्धता । अत एव "निदितैर्निन्दिता वृणां तस्मानिद्यान्वि-वर्जयत्" इति निषेधः प्रशस्तब्राह्मादिविवाहाभावमनपेश्याद्यप्रभृतिविषयतया तेन व्याख्यातः । अत एव च विहितप्रतिषिद्धा निदिता अत्यंतिनिषद्धा गर्ह्या इति विभागो ग्रंथांतरे नारायणादीनां २० मेधातिथिग्रंथाशयमज्ञात्वा यिक्विंद्रप्रलापितमुपेक्षेव युक्ता ।

तथा च दितीयकर्मृकविवाहस्य निषिद्धत्वेन दानरूपांगाभावेन च भार्यात्वानुत्पादकत्वा-दाचकर्मृकस्यापि दितीयस्य न भार्यात्वोत्पादकत्वम् । किं तु पुनरूपनयनवत्प्रायश्चित्तमात्ररूपत्व-मिति प्रामाणिकबहुनिबद्धसम्मतः पक्षः समाश्रीयते । तदापि "ऊढायाः पुनरुद्धाहमि"त्यनेन राग-प्राप्तत्वेन सजातीया दितीयकर्मृक एव विवाहो निषिध्यते । न तु प्रायश्चित्तरूपतया विधिमात्र- २५ प्रयुक्तत्वेन विजातीय आद्यकर्मृको द्वितीयः । तथा चास्य कठावप्यनुष्ठानसंभवातपुनर्भृत्वनिमित्त-प्रायश्चित्तपूर्वकं गतप्रत्यागतात्वनिमित्तकद्वितीयविवाहपूर्वकं च पूर्वपतिनाऽस्याः स्वीकारेण कोऽपि विरोध इति । वस्तुतस्तु नेयं पुनर्भूगतप्रत्यागता विस्त्रद्वोत्तेस्तस्याः पुनर्भूत्वेऽपि द्वितीयपुरूषसंप्र-योगमात्रापिक्षित्वेन तद्विवाहानपक्षत्वातक्षतयोनित्वस्यापेक्षितत्वाचात एव कुळूकभद्वादिमिस्त-थैव सा व्याख्याता । सर्वज्ञव्याख्यानं तु निर्मूठं "या पत्या वा परित्यक्ते"त्येतस्या एव तच्छब्देन ३० परामुक्ष्यगतप्रत्यागतात्वोक्तेः पूर्वापरानाठोचनपूर्वकं चेत्यज्ञव्याख्यानमेव । वस्तुतस्तु गतप्रत्यागता स्वैरिणी न तु पुनर्भूः "कोमारं पतिमुत्सुज्येति" नारदेन स्वैरिणीमध्येऽस्या उक्तः । यत्तु विस्त्रदेन नास्या अन्यमेवाश्रितायाश्च पुनर्भूत्वमुक्तं तत्पुनर्भूशब्दस्यान्यपूर्वामात्रवचनत्वमिपप्रत्य द्वितीया-ज्ञातो यदि तमेवाश्चिता तस्यैवासो पौनर्भवः पुत्रः यदि पुनः पूर्वमाश्चिता ततः पूर्वस्योति विभा- Ó

गेन तत्युत्रस्य पौनर्भवमध्येऽन्तर्भावार्थम् । नियोगाभावेन तस्याक्षेत्रजत्वात् । एवमाशयकत्वं च तस्य पुत्रप्रकरणे उक्तेर्गम्यते । मानवस्य पुनर्भृत्वोक्तरप्ययमेवाशयस्तत्रैवोक्तेः । अन्यथा पुनर्भृ-लक्षणोक्तिपरयोगीश्वरनारदादिवाक्यविरोधापत्तेः ।

यद्दा पुनर्भवते प्राप्नोतीति च्युत्पच्या तत्र पुनर्भूपदं यौगिकं उद्देश्यभेदेनावर्श्याद्वत्तिकस्य मानवे पौनर्भवपद्स्य भिन्नार्थकत्वेऽपि क्षम्यभावादित्यादिदिङ्मात्रं र विस्तरस्त्वन्यत्र बोध्यः । ततश्च गतप्रत्यागतात्वाभावात्पुनर्विवाहोऽपि पूर्वपतिना सहास्या नापेक्षितः । अदृष्टार्थस्यास्य यावद्वचनमेव प्रवृत्तेरन्यथाव्यभिचारमात्रे तद्पेक्षापत्तेः । किं तु पुनर्भूत्विनिमत्तकप्रायश्चित्तमात्रं । तच्च यद्यपि न किचिद्विशिष्योक्तं तथापि तत्परिणेतुः कौमारपतिभिन्नस्य पुंसो यत्तदेवार्धक्तमा तस्या अपि यद्यपि पुनर्भूविवाहेऽपि प्रायश्चित्तं न किचित्तथोक्तं तथापि सगोत्रासिपेडादिविवाहे यदुक्तं तदेव १० तत्रापि भवति

"बहूनामेककार्याणामेकस्यापि यदुच्यते । सर्वेषां तद्भवेत्कार्यमेकरूपा हि ते स्मृता" ॥ इत्युक्तेः । न च यस्मिन्निमित्ते पुंसो यश्चित्तं स्त्रिया अपि तस्मिन्निमित्ते तदेव स्त्रीणामर्धे प्रदातव्यमित्युक्तेरर्धकल्पनया युक्तम् । पुनर्भृविवाहप्रायश्चित्तस्य त्वर्धे स्त्रियाः कथं भवत् । तिन्निमित्तानावात् । अत एव स्त्रियाः परपुरुषगमने निमित्ताभावेन परदारागननिमित्तकप्रायश्चित्ताप्राप्ते तत्प्राप्त्यर्थे वच्चनं पृथगारब्धम् । "यत्पुंसः परदारेषु तच्चैनां चार्यद्वतमिति" सपिंडादिविवाहप्राय-श्चित्तार्थे तुस्त्रिया युक्तं तस्या अपि तन्निमित्तसत्वादिति वाच्यम् । पुनर्भृत्वापाद्कस्य विवाहस्य प्रायश्चित्ते निमित्तभृतस्य स्त्रिया अपि विद्यमानत्वात् । रजस्वलागर्भिण्यादिगमने स्त्रिया अपि प्रायश्चित्त-प्राप्त्यर्थे प्रतियोगित्वादिसंबंधिवशेषाविवक्षया संबंधसामान्यविवक्षावादिहापि तथा संभवाच । यद्य-प्यनेन न्यायेन परदाराप्रगमनविशेषकर्ृत्वस्य पुंसि वा स्त्रियामपि संभवात्यरदारागमननिमित्तक-२० प्रायश्चित्तोपदेशेनैव स्त्रिया अपि तत्प्राप्तिसंभवाद्यत्पुंष्ट्वः परेत्यतिदेशवैय्यर्थमाभाति तथापि तत्पिरिहारोऽन्यत्र स्पष्टस्तत एव बोध्यः ।

न च सिपंडादिविवाहपायश्चित्तस्येव पुनर्भूविवाहेऽपि स्वीकारे तद्वदेव तत्कर्नृपरिपाल्यत्वस्यापि प्राप्तो पूर्वपतिस्वीकार्योक्तिः पुनर्भ्वाः कथमिति वाच्यम् । न हि मात्रेवचेनां विभृयादिति प्रायश्चित्तांतगत्या विधीयते । किं तिर्हे । प्रायश्चित्तेन दोषनिरासाद्वोद्धः सिपंडादिस्त्रीगमनशंकायां त्रायश्चित्तंतागत्या विधीयते । किं तिर्हे । प्रायश्चित्तेन दोषनिरासाद्वोद्धः सिपंडादिस्त्रीगमनशंकायां व्योभयनिवृत्त्यर्थं स्वातं व्योणदं विधीयते । न चेह पूर्वपत्युर्विद्यमानत्वात्तथा काऽपि शंकिति । नात्र तिद्विधप्रवृत्तिः । किं तु प्रायश्चित्तस्योपिक्षितत्वादिति युक्तम् । यश्च पुनर्भूभर्तुः श्राद्धादौ प्रतिषेधः सक्तुतप्रायश्चित्तस्यापि कृतप्नादिवन्निवृत्त्यर्थः । विहितपुनर्भूविवाहविषयो वा न त्वकृतप्रायश्चित्तविषयस्तस्यवास्वेभिरिनिणिक्तिरित्यनेनैव प्रतिषेधात् तदपत्त्यानां तु वर्णानुलोमजबहिर्भूतानां प्रायश्चित्तावष्ठयस्तस्यविभरिति-णिक्तेरित्वनेव प्रतिषेधात् तदपत्त्यानां तु वर्णानुलोमजबहिर्भूतानां प्रायश्चित्तविषयः । एवं पुनर्भ्वा अपि यदि किचित्संहारप्रतिषेधः स्यात्ततः सोऽनंतरोक्तयुक्त्या कृतप्रायश्चित्तविषयः एवति तद्बलात्पूर्वपितिना तत्संग्रहो न स्यात् । न तु स कचिदस्ति पुनर्भूपतिनिद्दाच्चान्यथोपलक्षणत्वस्य निषेधांतरकत्पनस्य चापत्तेः । त च पूर्वपत्त्यपि विशेषणत्वात्तस्यैव निषिद्धाच्चान्यथोपलक्षणत्वस्य निषेधांतरकत्पनस्य चापतेः । न च पूर्वपत्त्यप्तिपार्याग्युपगमेऽपि स पुनर्भूत्वापादकः । किं तु तदन्यकर्त्तृक एवे-

त्युक्तम् । तस्मात्कैश्चिद्पि प्रामाणिकैर्निबंधकारैरचुंबितेऽस्मिन्विषये मम तावदेवं प्रातिभा । यदेकेन यथाविधिपरिणीता तेन क्षतयोनिरक्षतयोनिर्वा तस्मिन् जीवत्येव याऽन्येन तथैव परिणीतमात्रा भुक्ताऽपि वा सा द्वितीयविवाहनिमित्तकं सिपंडादिविवाहप्रायश्चित्तमेव पूर्वोक्तरीत्या पुनर्मूविवाहेऽपि प्राप्तमर्धक्त्य्रस्या कृत्वोपभोगे तिन्निमित्तकमिति प्रायश्चित्तं कृत्वा त्यक्ततत्संसर्गा पुनः पूर्व-पितना धर्ममात्रं विवाहं कृत्वाऽकृत्वैव वा स्वीकर्त्तुं योग्येति । अनुष्ठानं तु प्रामाणिकैः सह विचार्य क्रार्यमिति दिक् ।

प्रकृतमनुसुरामः । सहोढजाभावेऽपविद्धः । तत्स्वरूपमप्युक्तमः । अयमेव मूलोकः कसो नान्योक्तोऽन्यादृशः इत्यपि प्रागुक्तम् । प्राच्यानां तुमूलायुक्तवैधकमत्यागेन नारदीयपाठजकमाङ्गी-करणांतबलावलाज्ञानानिवंधनामिति बोध्यम् । अत अत्र वयं ब्राह्मणस्तु शूद्रायामित्यायुक्त्या

"क्षेत्रजादीन्सुतानेतानेकाद्द्रा यथोदितान् । पुत्रप्रतिनिधीनप्राहुः कियालोपान्मनीषिणः" ॥ इति भन्न निकृत्तेक्तात् (९११८०), "यत्र क च नोत्पादिदस्तु द्वाद्द्रा" इति विष्णूक्तेः, "ब्राह्मणेन न कर्त्तव्यं शृद्रस्यैवौर्ध्वदेहिकम् । शृद्रेण वा ब्राह्मणस्य विना पारश्वात् कचित्" इति पारस्करोनक्त्रश्च प्रागुक्तद्वाद्द्राविधपुत्राभावे शृद्रापुत्रस्यापि द्विजापित्रौर्ध्वदेहिकेऽधिकार इति प्रतीयते । विज्ञानेश्वरादिभिस्तु मूलाचनुक्तत्वात् "यद्यपि स्यातु सत्युत्र" इत्यादि मनुना चान्यपुत्राभावे-ऽपि तस्य कृत्स्नदायालाभोक्ते "र्यश्चार्थहरः स पिंडदायीति" च विष्णवापस्तंबाभ्यामुत्सर्गतो भिर्वथग्रहणस्य श्राद्धाद्यिकारप्रयोजकत्वोक्तेः षंढादिवत्तस्याप्यनधिकारावगमनाधिकारिषु परिगणितः। तत्त्वं तु प्रागुक्तमेव । "श्रातृणामिति" मानवस्य गतिरप्युक्तैव । सपत्नीपुत्रस्य तु गौण-पुत्रत्वमस्येव । तेन स्त्रीश्राद्धे औरसस्तद्भावे पात्रिकेयस्तद्भावे सपत्नीपुत्रस्तद्भावे क्षेत्रजाद्यिन्वकारिकमः । "बह्वीनामेकपत्नीना"मिति मानवस्य प्राग्वद्याख्यानसंमवेऽपि

"विदध्यादारसः पुत्रो जनन्या और्ध्वदेहिकम् । तदभावे सपत्नीजः क्षेत्रजाचास्तया वृता ॥ " "तेषामभावे तु पतिस्तदभावे सपिंडकाः" । इति कातीयात् ।

एतेन "पुत्राभावे दुहिता तदभावे सपत्नीज" इति शूलपाण्युक्तकमः परास्तः। पुत्रस्य चानुपनीतस्याप्याधिकारः।

"न ह्यस्मिन्युज्यते कर्म किञ्चिदामौंजिबंधनात् ॥ "नाभिव्याहारयेत् ब्रह्म स्वधानिनयनाहते" इति (२।१७१-७२) मनोः । स च कृतचूड्स्यैव । त्रिवर्षादूर्ध्वं त्वकृतचूड्स्यापि । तथा च सुमंतुः

"अनुपेतोऽपि कुर्वीत मंत्रवत्पेतृमेधिकम् । यद्यसौ कृतचूडः स्याद्यदि स्याच त्रिवत्सरः" ॥ इति । एवं चानुपनीत इत्यत्राबाह्मण इतिवदर्थो बोध्यः । अत एव ततः पूर्वस्य न तेन ग्रहणम् । यतु आद्धदीपिकादौ

"कृतचूहस्त कुर्वीत उदकं पिंडमेव च। स्वधाकारं प्रयुंजीत वेदोचारं न कारयेत्" ॥ इति व्याद्यनामा लिखितं तन्मनुविरोधादुपेश्यम् । यदिप देवयाज्ञिकेनास्याधवर्षकृतचूहविषयत्व- ३० मुक्तं तदिप सुमंतुवाक्ये "यदि स्याच त्रिवत्सर" इति पृथगुक्तेस्तत्प्रागिप कृतचूहस्य मंत्रवदिष-कारावगमादयुक्तम् । अञ्चक्तं त्विग्रिदानमात्रं समंत्रकम् । तेनाकार्यमन्यचान्येन ।

आशौच-याज्ञवल्कीये

"असंस्कृतेन पत्न्या च ह्यियानं समन्त्रकम् । कर्तव्यमितरत्सर्वं कारयेदन्यमेव हि"॥ इति कातीयात् । यतु देवयाज्ञिकेन शक्तेनाप्यनुपनीतेनाग्रिदानमेव कार्यमित्युक्तं (ए. २३५ पं.८)तत्

"कुर्यादनुपनीतोऽपि श्राद्धमेकस्तु यः सुतः । पितृयज्ञाहुतिं पाणौ जुहुयाद्वाह्मणस्य सः" ॥ इति वृद्धमनोः श्राद्धेऽप्याधिकारावगमादयुक्तम् । एतच्चौरसविषयमेव । अन्ये तूपनीता एवाधिकारिण ९ इति काळादर्शे । प्रागुक्तसर्वपुत्राभावे पौत्रस्तदभावे प्रपौतः ।

"पुत्रः पौत्रः प्रपौत्रो वा भार्ता वा भारतितः । सकुल्यसंतितिश्चैव कियाही नृपजातयः"॥ इति वैष्णवात् (३।१३।३०)

अत्र च पुत्रपदं जातावेकवचनांबं मुख्यगौणपुत्रपरम् । ''पुत्रेषु विद्यमानेषु नान्यं वै कारयेत्स्वधामिति'' ऋष्य ृंगोक्तः । ''नैतत्पौत्रेण कर्तव्यं पुत्रवांश्चेत्पितामाह" इति काती-१० याच्च । क्षेत्रजादिषु पुत्रत्वोक्तेश्चेदमेव फलम् यत्पुत्रग्रहणेन तेषामपि ग्रहणामिति । तथा च

"पौत्रश्च पुत्रिकापुत्रः स्वर्गप्राप्तिकरावुभौ । ऋक्थे च पिंडदाने च समौ तौ परिकीर्तितौ"॥

इति बार्हस्पत्यं न पौत्रगौणयोर्विकल्पार्थं किं त्वधिकारमात्रबोधनार्थमिति बोध्यम् ।

कालादर्शे तु औरसाभावे पौत्रः प्रपौत्रश्च । तदभावे कमेण पुत्रिकापुत्रः क्षेत्रजदत्तकक्रीतक्कृत्रिमस्वयंदत्तापविद्धा इत्युक्तम् । "पुत्रः पौत्रः प्रपौत्रश्च पुत्रिकासुत एव चेति" सुमन्तवाक्यं च तत्र
१५ मानत्वेन लिखितम् । प्रपौत्राभावे पत्युः पत्नी पत्न्याश्च पतिः । तथा च शांखः

"भार्यापिंडं पतिद्वाद्भर्ते भार्या तथैव च। श्वश्र्वादेश्च स्नुषा चैव तद्भावे सिपंडकाः" ॥ इति । "न भार्यायाः पतिर्द्यात्पत्येभार्या तथैव च "इति छंदोगपरिशिष्टं प्रपौत्रसद्भावविषयम् । "सर्वाभावे स्त्रियः कुर्युः स्वभर्तृणाममंत्रकमिति" मार्केडेयम् (२७१२)। "कुलद्वये चोत्सन्ने स्त्रीभिः कार्या किया नृपेति" वैष्णवं(३।१३। ३२) चाऽसुरादिविवाहोढाविषयस्त्रीयहणात्। तथा च शातातपः

२० "धर्म्येविवाहेरूढाया सा पत्नी परिकीर्तिता । स्हाधिकारिणो ह्येषा यज्ञादौ धर्मकर्मणि ।

"क्रयकीता तु या नारी न सा पत्न्यिभधीयते । न सा दैवे न सा पिञ्ये दासीत्वं मुनयो जगुरिति"। असवर्णाविषयं तदिति शूलपाणिः । अत्र च यद्यपि "अपुत्राशयनं भर्तुरिति" वृद्धमनुवाकये , सहिनिर्देशाद्दिभक्तासंसृष्टस्य पत्नी तद्धनग्रहणाधिकाराद्विभक्तसंसृष्टस्य तु सोदरस्तस्य तद्भावा-दिति प्रतीयते तथापि वचनात्सवत्रौर्ध्वदेहिकाद्यधिकारिणी भार्येव । एकयोगनिर्दिष्टयोरिप वचनां-रेप तरवशाद्धिकाभिन्नविषयत्वेन दोषः । "यश्चार्थहर" इति तृत्सर्गः । दुहित्रादिसत्वे पुत्राद्दीनां मातृ-धनग्रहणेऽनिधिकारेऽपि तदौर्ध्वदेहिकादाविधकारात्सिक्संबंध्यभावेऽर्थग्राहिणास्तद्धिकारबोधकं वा । कालादर्शे तु प्रागुक्तापविद्धांत "पुत्राभावे पत्नी तद्भावे गूढजकानीनपौनर्भवसहोढा" इत्युक्तम् ।

"कानीनगृदसहजपुनर्भृतनयाश्च ये । पत्न्यभावे तु कुर्युस्ते अप्रशस्ता यतः स्मृताः"॥

इति स संग्रह्वाक्यं तत्र मानत्वेनोक्तम् । अप्राशस्त्यं च स्मृतं विष्णुना "अप्रशस्तास्तु कार्नी-• नेत्यादि" । पत्न्यभावे तु "पुत्राभावे तु पत्नी स्यात्पत्न्यभावे सहोद्र" इत्यादिवाक्यौर्भातुरिध-कारः प्रतियते ।

१ "बन्धर्वा" इति वैष्णवे पाठः ।

"पुत्रेषु विद्यमानेषु नान्यं वै कारयेत्वधाम् । अपुत्रस्य तु या पुत्री साऽपि पिंडप्रदा भवेत्"॥ इत्यादि ऋष्यञ्ञंगादिवाक्येर्द्धेहितुः ।

"अकृता वा कृता वापि" (९।१३६) इत्यादि मानवादिभिश्च दौहित्रस्य । तत्रेत्यं व्यवस्था । विभक्ता-संसृष्टस्य पत्न्यभावे दुहिता पुत्रेष्वेत्यादिऋष्यशृङ्गोक्तेः । तद्धनग्रहणे तस्या एवाधिकाराच । तथा च वृद्धगुरुः "भर्तुर्धनहरी पत्नी तां विना दुहिता स्मृते"त्यादि धनग्रहणस्य चोपकारव्याप्तत्वात् । ५ "यश्चार्थहर" इत्यस्य च विरोधे व्यवस्थापनमपि फलं संभवत्येवं यद्यपि धनग्रहणमनूद्वाया अष्यस्ति तथापि पिंडदानादौ संस्कृतैवाऽधिकारिणी ।

"दुहिता पुत्रवत्कुर्यान्मातापित्रोस्तु संस्कृता । आशौचमुदकं पिंडं एकोहिष्टे सदा तयोः" ॥इति भारद्वाजोक्तः । तस्यैव दुहित्रभावे दौहित्रः। तदभावे तस्यैव तद्धनग्रहणेऽधिकारात् । "अकृता-वे'त्यादि मानवे "अपुत्रपुत्रपौत्रसंताने"इत्यादि वेष्णवे च तेन सह निर्देशाच । तस्यैव दौहित्रा- १ ० भावे श्राता "पत्नी दुहितरश्चैवे"त्यत्र चशब्दसंग्राह्यदौहित्रानंतरं तस्य तद्धनग्रहणाधिकारबोध-नात् । संग्रह् च स्पष्टमिद्म

"सुतः कुर्यात्पितुः श्राद्धं पत्नी च तद्सन्निधौ। धनहार्यथ दौहित्रस्ततो श्राताऽथ तत्सुतः"॥ इति । पत्नी चेति चशब्दाहुहितेति । अविभक्तसंपृष्टस्य तु पत्न्यभावे श्रातैव । तत्र पत्न्यभावे तु सोदर इत्यादिवाक्यप्रवृत्तेरविघ्नत्वात् । आदित्यपुराणेऽपि

"भ्रातुर्भाता स्वयं कुर्यातद्भार्या चेन्न विद्यते । तस्य भ्रावृत्तुतः कुर्याद्यस्य नास्ति सहोदरः"॥ इति। तत्र सोदरासोदरसमवाये सोदर एव । प्रत्यासत्तेः । तत्रापि ज्येष्ठकनिष्ठसमवाये कनिष्ठः ।

"नानुजस्य तथायज" इति छंदोगपरिशिष्टस्य आतृत्वाद्विशेषेणाधिकारप्राप्तौ किनिष्ठ-सद्भावे ज्येष्ठस्य तिन्नषेधकत्वात् तत्समिनव्याहृतस्य "न योषितः पतिर्द्यात्" "न पुत्रस्य पिता कुर्यात्" इत्यस्य वचनांतराविरोधायाधिकार्यतराभावविषयत्वात् किनिष्ठबहुत्वे चादौ मृतानंतर- २० स्तदभावे तदनंतरः प्रत्यासत्तेः । किनिष्ठाभावे ज्येष्ठः। आतृत्वात् । निषधाप्रवृत्तेश्च ।

"यदि स्नेहेन कुर्यातां सिपंडीकरणं विना। गयायां तु विशेषेण ज्यायानि समाचरेत्"॥ इति छंदोगपरिशिष्टाच। ज्येष्ठबहुत्वे च मृतानंतरक्रमेण। सोदराभावे भिक्नोदरः प्राग्वत्। तस्यापि श्रातृत्वात्। केचित्तु दुहितृदौहित्रयोर्भिन्नगोत्रत्वात् "न कदाचित्सगोत्राय श्राद्धं कार्यमगोत्रजैः" इति च सगोत्रसत्वे भिन्नगोत्रस्य श्राद्धायूनिकारोक्तेर्विभक्तासंसृष्टस्यापि श्रातेव कुर्यादित्याहुः। २५ तदमावे 'श्रातृस्तः। "श्राता वा श्रातृसंतिः" इति वेष्णवात्। आदित्यपुराणे सहोदरग्रहणं श्रातृमात्रोपलक्षणपूर्वं सामान्येनोक्तः सोदरासोदरश्रातृपुत्रादिसमवाये प्राग्वत्। श्रातृस्तामावे पिता। "पुत्रो श्राता पिता वाऽपीति" अचेतःस्मृतेः। "दत्तानामप्यदत्तानां कन्यानां कृकते पिता" इति बाह्माच्च। "न च माता न च पिता कुर्यात्पुत्रस्य पैतृकमिति" कातीयं तुश्रातृसुतासत्वविषयम्। मात्रभावे श्वश्रुरयोः स्नुषा "श्वश्र्वादेश्च स्नुषा चैव तदभावे सिपंडका"। इति ३० शंखोक्तः। स्नुषाया अभावे भागिनी। तत्रानुजाग्रजासोदरासोदरासमवाये श्रातृवत्। तदभावे तत्पुत्रः। समवाये तद्वदेव। तथा च कात्यायनः

"अनुजा वाऽग्रजा वाऽपि भ्रातुः कुर्वीत संस्कियाम् । ततस्त्वसोद्राः तद्दत्क्रमेण तनयस्तयोः"॥इति।

संग्रहेऽपि

"पत्नी श्राता च तज्जश्च पिता माता स्नुषा तथा । भगिनी भागिनेयश्च सिपंडः सोदकस्तथा॥ "असंनिधाने पूर्वेषामुत्तरे पिंडदाः स्मृताः"॥ इति । तदभावे पितृव्यतत्पुत्राद्यः सिपंडाः पत्यासित्तक्रमेण । तदभावे सोदकास्तथैव तदभावे मातामहमातुळतत्पुत्राद्यो मातृसिपंडास्तत्क्रमेण । तदभावे तत्सोदकास्तथैव । तथा च वैष्णवे (३।१३।३०-३१)

"पुत्रः पौत्रः प्रपौत्रो वा श्राता वा श्रातृसंतितः। सपिंडसंतितिश्चैव कियाही नृप जातंयः॥
"एषामभावे सर्वेषां समानोद्कसंतितः। मानृपक्षस्य पिंडेन संबद्धा ये जलेन च"॥ इति।
तदभावे त्रिविधा बांधवाः। गोत्रजानंतरं शिष्यादितः पूर्व तेषां धनग्रहणाधिकारोक्तेः। तत्रापि
प्रत्यासत्तेरादौ स्वबंधवस्ततः पिनृबंधवस्ततो मानृबंधव इति क्रमः। तदभावे स्त्री। तत्राप्यादावासुरादिविवाहोढा सवर्णा तदभावे परिणीता सवर्णा । तदभावेऽवरुद्धाऽपि शूद्धाभिन्नेतिक्रमः।
तथा च तत्रैव "कुलद्वयेऽपीति" कुलद्वयपदेन च बांधवा अपि गृह्यंते। तेषामपि तत्संबंधात्। तदभावे गुरोः शिष्यस्तदभावे यजमानस्य ऋत्विक्। तदभावे शिष्यस्याचार्यः सब्रह्मचारी वा "पुत्राभावे सिपंडा" इत्यादि गौतमोक्तेः (१५।१३)। शिष्यानंतरं सब्रह्मचारिणो धनग्राहित्वोक्तेश्च राज्ञश्च
पुरोहितो मंत्री मृत्यश्च क्रमेण।

"मृते राज्ञः सिपंडेऽपि निरपत्ये पुरोहितः । मंत्री वा हतशौचं तु तीर्त्वा पश्चात्करोति सः"॥ इति ब्राह्मात ।

"प्रमीतस्य पितुः पुत्रैः श्राद्धं देयं प्रयत्नतः। ज्ञातिबंधुसुहृच्छिष्यै ऋत्विग्भृत्यपुरोहितै"रिति। गुरूक्तेश्च । तदभावे जामाता श्वशुरस्य श्वशुरश्च जामातुः । तदभावे सख्युः सखा । तथा च मार्कंडेयपुराणे

"संख्युरुत्सन्नबंधोश्च संखाऽपि श्वशुरस्य च । जामाता स्नेहतः कुर्यादिखलं पैतृमेधिकम्"॥इति । श्राह्मेऽपि "जामातुः श्वशुरश्चके येषां तेषां ते चापि संयता" इति । यद्यपि मार्केडेये संख्युः पश्चाज्जामाता निर्दिष्टः । तथापि तस्याधिकारमात्रप्रतिपादनपरत्वात्संबंधविशेषाज्जामातुरेव प्राथम्यं युक्तमित्याशयेन कालादर्शे तथोक्तम् । तद्भावे संघातर्गताः प्रत्यासत्तिविशेषक्रमेण "संघातांतर्गते-वापि कार्या प्रेतस्य च क्रियेति" वैष्णवात् (२।१६।२३) । तद्भावे ब्राह्मणधनग्रहणे राज्ञोऽनधि-र्भ कारात्तस्य तद्भृहीषः कश्चिद्विपः "यश्चार्थहर" इति विष्णूक्तेः । विप्रभिन्नानां तु राज्ञा धनं गृहीत्वा तेन धनेनान्येन कारयेत् । "उत्सन्नबंधुरिक्थानां कारयेदवनीपतिरिति" वैष्णवात् (२।१४।३३) । अस्य च विप्रभिन्नविषयत्वं तत्रैव "राज्ञा वा धनहारिणे"त्युक्तेर्गम्यते । राज्ञो विप्रधनग्रहानधिकारात् । मुमूर्षुणा वा संनिहितौकार्यभावे धर्मपुत्रः कार्यः । स च तस्य मृतस्य सर्वे कुर्यात् । "अपुत्रेण सुतः कार्यं" इत्याद्युक्तेः । अत्र चापुत्रग्रहणं सन्निहिताधिकारिमात्रा-३० भावपरम् । पिंडोद्केत्याद्युक्तेः ।

स्त्रीश्राद्धे त्विधकारिकमे विशेषः । अनूढायाः पिता । तदभावे आतादिः । ऊढायास्वौरस-पुत्रिकापुत्राभावे सपत्नीपुत्रस्तदभावे क्षेत्रजाद्याः प्रपौत्रांतास्तदभावे पतिस्तदभावे दुहितृदौहित्रौ प्राग्वत् । तदभावे पत्युर्आता । तदभावे तत्पुत्रः । तदभावे स्नुषा । तदभावे पितृमातृश्रातृतत्पुत्रादयः प्रागुक्ता विवाहेन तस्याः पित्रगोत्रहान्या पतिगोत्रापत्तेर्न कदाचित्सगोत्रायेति निषेधाचेति । एष्विधिकारिषु केषां किमवहरुकार्यमित्यपेक्षायां वैष्णवे उक्तम् (२।१४।२४–२९)

"पूर्वाः किया मध्यमाश्च तथा चैंवोत्तराः कियाः । त्रिप्रकाराः किया ह्येतास्तासां भेदं शृणुष्व मे॥ "आदाहवार्थायुधादिस्पर्शाद्यंताश्च याः कियाः । ताः पूर्वा मध्यमा मासि मास्येकोद्दिष्टसंज्ञकाः ॥ "प्रेते पितृत्वमापन्ने सपिण्डीकरणाद्नु । कियंते याः कियाः पित्र्याः प्रोच्यंते ता तृपोत्तराः ॥ "पितृमातृसपिंडेस्तु समानसिळेळेस्तथा । संघौतांतर्गतेनापि राज्ञा वा धनहारिणा ॥

"पूर्वीः कियास्तु कर्तव्याः पुत्राधैरेव चोत्तराः । दौहित्रैर्वा नरश्रेष्ठ कार्यास्तत्तनयैस्तथा ॥ "मृताहिन च कर्तव्याः स्त्रीणामप्युत्तराः कियाः । प्रतिसंवत्सरं राजन्नेकोहिष्टविधानतः" ॥ इति । अस्यार्थः । जलादिस्पर्शादेराशौचांत्यिदेने उक्तत्वाहाहमारभ्याऽऽशौचमध्यकर्तव्याः क्रियाः पूर्वाः एकादशाहकृत्यमारभ्य सिंडनपर्यता मध्यमास्तद्रध्वां आब्दिकाद्या उत्तराः । तत्र सिंप्हादिमि-रिप नृपांतेः पूर्वाः कार्या एव । उत्तरास्तु न कार्या । मध्यमासु त्विनयमः । पुत्राधैर्भातृसंततेदौहित्र-तनयैश्वोत्तरा अवस्यं कार्याः । मात्रादीनां पूर्वमध्यमावत्सर्वोत्तरिक्रयाप्राप्तौ परिसंख्या । १५

तनयश्चीत्तरा अवस्य कार्याः । मात्रादीनां पूर्वमध्यमावत्सवीत्तरिक्रयाप्राप्तौ परिसंख्या । प्रत्यब्दं मृताहन्येव स्त्रीणामृत्तराः कार्या न तु द्शिदौ । तत्र तु पत्यार्यशभागित्वमेव तासां तत्र चैकोहिष्टविधानत इति पाक्षिकैकोहिष्टानुवादः । इदं वृद्धचन्वष्टकादेरप्युपलक्षणम् । तत्रापि स्त्रीणां पृथकृश्राद्धोक्तेः ।

"न योषिद्भग्नः पृथक् द्याद्वसानदिनाहते । स्वभर्तृपिंडभात्राभ्यस्तृप्तिरासां यतः स्मृता" ॥इति पिरिशिष्टात् । पूर्वमध्यमास्तु पृथक् भवंत्येव । अत्र च राजाभिन्नानां तदीयधनाभावेऽपि स्वद्रव्येण २० पूर्विकियास्विधकारः । राज्ञस्तु तदीयधनसत्वे एव "राज्ञा वा धनहारिणे"त्युक्तेः "सर्वाभावे तु चृपितः कारयेत्तस्य रिक्थत" इति मार्किडेयाच्च (२७।२३) । स्वयं तदीयधनग्रहे सिपंडादीना-मिप चृपांतानां मध्यमोत्तराः अध्यावश्यकाः । तथा च स्कान्दे

"मलमेतन्मनुष्याणां द्विणं यत्प्रकीर्तितम् । तद्वृह्णन्मलमादत्तेऽज्ञानिनां ज्ञानिनामपि ॥ "ऋषिभिस्तस्य निर्दिष्टा निष्कृतिः पावनी परा। आदेहपतनात्कुर्यारिपंडदानोदकिकयाम्"॥इति। २५ पुत्रपौत्रप्रपौत्रपत्नी आतातत्पुत्रमातापितृदेगहिश्रस्नुषाशिष्याणां तु तदीयधनाभावेऽपि उत्तरापर्यंत-मावश्यकम् ।

"पुत्राभावे च तत्पुत्रः पत्नी माता तथा पिता। वित्ताभावे च सच्छिष्यः कुर्यात्तस्यौर्ध्वदे।हिकम्"॥ इति मार्केडेयात् ।

"वतस्थोऽपि यथा पुत्रः पितुः कुर्यात् कियां नृप । तथा मातामहस्याऽपि दौहित्रः कर्तुमर्हतीति"॥ ३० मविष्यपुराणाञ्च । स्त्रीणामप्येवमेव पूर्वादिकियाभेदेनाधिकारिव्यवस्था बोध्या ।

१ तत्संघातान्तर्गतेश्वेति विष्णुपुराणे पाठः । २ "स्वकुटुम्बिना" इति मार्केडेयपाठः ।

विशेषांतरमाह । **पिंडेति ।** इत्येवम् इत्यादिना वैश्ये पंचदर्शे शूद्रे मि. पृ. १७० त्रिंशत् । यावदाशौचमिति । प्रत्यहमिति शेषः । पारस्करोऽपि

"ब्राह्मणे दशपिंडाः स्युः क्षत्रिये द्वादश स्मृताः। वैश्ये पंचदश प्रोक्ताः शूद्रे त्रिंशत्प्रकीर्तिताः"॥इति। इदं च देशविशेषविषयं न सार्वत्रिकम् ।

"जात्युक्तिशौचतुल्यांस्तु वर्णानां कचिदेव हि। देशधर्मान्पुरस्कृत्य प्रेतिपिंडान्वपंत्यमी"॥ इति ब्राह्मोक्तः। तथा च "प्रेतेभ्यः सर्ववर्णेभ्यः पिण्डान्दबाह्शैव तु" इति तद्यिमश्चाह्मात्सर्व-स्मृतिपुराणादौ दशानामेव पिंडानां शिरःप्रभृत्यवयवनिष्पत्तिरूपफलोक्तेर्विप्रस्याविच्छेदेनैव दश-पिंडदानम्। अन्येषां च नवदिनपर्यन्तमविच्छेदे नविपण्डदानम्। दशमपिंडदानं त्वाशौचांत्यदिने एव। तथा च ब्राह्मो "दिवसे दिवसे देयः पिंड एवं क्रमेण तु" इत्युपक्रम्योक्तम्

"देयस्तु दशमः पिंडो राज्ञां वै द्वादशेऽहिन । वैश्यानां वै पंचदशे देयस्तु दशमस्तथा ॥ "शूद्रस्य दशमः पिंडो मासे पूर्णे हि दीयते"॥इति । तदेतदिभिष्रेत्याह । तथा स्मृत्यन्तरेऽ-पीति । इदं च सामान्योक्त्या साधारणिमिति स्पष्टमेव । अविरोधायाह । शुचित्वेति । अपरे-धुरेकादशाहादौ । एतेन "शुद्धश्चेतु दशमेऽहिनी"त्यापि व्याख्यातम । अविरोधायाह । योगीति । "पिंडयशावृता दयं प्रेतायान्नं दिनत्रयम्" इत्यनेनेति भावः । उद्कद्गनिति कृत उपकाराति-१५ शयोऽकृते प्रत्यवायाभाव इति भावः ।

अत्र पिंडदानविषये । हास्तो वक्ष्यमाणप्रकारेण । अपिना वृद्धिपरिग्रहः । अत्राप्येवाभ्या-मपि प्रागुक्तं सूचितमिति बोध्यम् । पिंडदानप्रकारश्च ब्राह्मे एवं

"मृन्मयं मांडमादाय नवं स्नातः सुसंयतः । ठकुटं सर्वदोषध्नं गृहीत्वा तोयमानयेत् ॥
"ततश्चोत्तरपूर्वस्यामग्निं प्रज्वाठयेद्दिशि । तंडुठप्रसृती तत्र प्रक्षाल्य द्धिः पचेत्स्वयम् ॥
"सपिवित्रैस्तिलैमिंश्रां केशकीटिववर्जिताम् । द्वारोपांते ततः क्षिप्त्वा सशुद्धां गोरमृत्तिकाम् ॥
"तत्पृष्ठे संस्तरेद्दर्भान्याय्यन्देशसंभवान् । ततोऽवनेजनं दद्यात्संस्मरेद्गोत्रनामनी ॥
"तिठसिर्पिमधुक्षीरेः संसिक्तं तप्तमेव हि । द्यात्प्रेताय पिंडं तु दक्षिणाभिमुखः स्थितः ॥
"फलमूळगुडक्षीरितिलमिश्रं तु कुत्रचित् । और पुष्पेस्तथा धूपेदीपेस्तोयेश्च शिततेः ॥
"ऊर्णातन्तुमयैः शुद्धिवीसोभिः पिंडमर्चयेत् ।
"प्रमादि सम्बद्धाः पिंदादाष्ट्रपाशी विकार । सम्बद्धां प्रकृतिकेवर्यं नोने क्षिते वार्

"प्रयाति यावदाकाशं पिंडाद्वाष्पमयी शिखा । तावत्तत्संमुखान्तिष्ठेत्सर्व तोये क्षिपेत्ततः ॥
"दिवसे दिवसे देयः पिंड एवं क्रमेण तु । एकस्तोयांजालस्त्वेवं पात्रमेकं च दीमते ॥
"दितीये द्वौ तृतीये त्रीश्चतुर्थे चतुरस्तथा । पंचमे पंच षष्टे षट् सप्तमे सप्त चेव हि ॥
"अष्टमेऽष्टौ च नवमे नवेव दशमे दश । एवं स्युः पंचपंचाशत्तोयस्यांजलयः क्रमात् ॥
"तावंति तोयपात्राणि संयुक्तानि तिलादिभिः" ॥ इति । एते च पंचपंचाशत्तिलतोयांजलयः

 पिंडोपिर देयाः । द्वितीयादिशब्देन सिन्निहितिपिंडानामेवोक्तेः पिंडानामवयवपूरकत्वमुक्त्वा सपात्रां-जलीनामिंदियपूरकत्वोक्तेश्च । पूर्वतोयांजलीनां च तापोपशमनार्थत्वात् । तथा च ब्राह्मे एव

"शिरस्त्वाचेन पिंडेन प्रेतस्य कियते तथा । द्वितीयेन तु कर्णाक्षिनासिकास्तु समासतः ॥ "गलांसभुजवक्षांसि तृतीयेन ततः कमात् । चतुर्थेन तु पिंडेन नाभिलिंगगुद्दानि च ॥ "जानुजंधे तथा पादौ पंचमेन तु सर्वदा । सर्वमर्माणि षष्ठेन सप्तमेन तु नाडयः ॥ "दंतलोमानष्टमेन वीर्ये तु नवमेन च । दशमेन तु पूर्णत्वं तृप्तता शुद्विपर्ययः ॥ "एकादशेन्द्रियवधाः संति बुद्धिवधैः सह ॥

"सर्वेषामेव भूतानां परलोकसमागमे । प्रेतभावगतानां तु रौरवादिषु वर्तेताम् ॥

"पंचिभः पंचिभस्विभः पात्रैरंजलिभिस्तथा । एकादशैवेंद्रियाणि पूर्यते शास्त्रदर्शनात्"॥इात 🥞

वैशंपायनादिभिरन्यथोक्तमन्यतो ज्ञेयम् । यत्र तु सद्यस्त्रचहे वा दश पिंडदानमुक्तं युद्धमृतादौ तत्र तत्प्रकारोऽपि तत्रैव

"सद्यः शोचे प्रदातन्याः सर्वेऽपि युगपत्तथा। ज्यहाशोचे प्रदातन्यः प्रथमे त्वेक एव हि॥
"द्वितीयेऽहिन चत्वारस्तृतीये पंच चैव हि। एकस्तोयांजिलस्तद्वत्पात्रमेकं च दीयते"॥ इति
प्रत्यहमेकस्तोयांजिलरेकं च पात्रमित्यर्थः। तदेतदिभसंधाय ज्यहाशोचे प्रकारांतरं पारस्करोक्त- १०
माह। त्रिरात्रेति। तथा। कुर्यादिति शेषः॥ १६॥

याज्ञवल्कीये १७ श्लोकः (आद्योऽर्धः)

मूलमाह । किंचेति । एवं चानेनैकं पात्रमिति अमिनरासायाह । पात्रद्वये इति । प्रथम इति । प्रथमत्याग इति न्यायात् । गमकांतरमाह । तथेति । मृन्मये तां रात्रीं क्षीरोद्के विहायसि निद्धाय "प्रेत अत्र स्नाहि पित्र चेदमिति" हि तद्वचनम् । तदेवाह । भित्रतेति । क्षीरमिति संस्थाप्यमित्यस्यानुषंगः । गारुडे तु "पृथक्शरावयोर्द्यादेकाहं क्षीरमंत्रु च" इत्युक्त्वा त्रिदिनपक्षोऽप्युक्तः ।

"अपके मृन्मये पात्रे दुग्धं द्याद्दिनत्रयम् । काष्ठत्रये गुणैर्बद्धे प्रीत्ये रात्रौ चतुष्पथे" ॥ इति मात्स्ये तु यावदाशौचं तिन्धानमुक्तम् "

"तस्मान्त्रिधेयमाकाशे दशरात्रं पयस्तथा । सर्वतापोपशांत्यर्थमध्वश्रमविनाशनम्" ॥ इति । २० अन्यद्प्युक्तं गृह्यकारिकायाम्

"तत्र प्रेतोपकृतये दशरात्रमखंहितं । कुर्यात्प्रदीपं तैलेन वारिपात्रं च मार्तिकम् ॥ "भोज्यात् भोजनकाले स भक्तमुष्टिं च निर्वपेत् । नामगोत्रेण संबुद्ध्या धरिज्यां पितृयज्ञवत्"॥ इति । एवमन्यदरपन्यतो ज्ञेग्नम् ।

• विशेषमाह । तथिति । दिने इति पूर्वद्वाभ्यामन्वेति । यदा दिवैव तत्कार्यं न रात्रावि-२५ त्यर्थकं तत् । तस्य प्रेतस्य गोत्रजैः सहेत्यर्थः । क्वचिदिति । छंदोगपरिशिष्टेऽपि "अपरेखु-स्तृतीये वा अस्थिसंचयनं भवेत्" ॥ इति अपरेखुद्वितीये । संचितानां प्रतिपत्तिमाह । तेषां चेति । तत्र विशेषो ब्राह्मे

"तत्स्थानाच्छनकैर्नीत्वा कदाचिजाह्मवीजले । कश्चित्क्षिपति सत्पुत्रो दौहित्रो वा सहोदरः ॥ "मातुःकुलं पितृकुलं वर्जयित्वा नराधमः । अस्थीन्यन्यकुलस्थास्य नीत्वा चांद्रायणं चरेत्॥ 4

आशौच-याज्ञवल्कीये

"अस्थीनि मातापितृपूर्वजानां नयंति गंगामपि ये कथंचित् ।

"सद्भावकस्यापि द्याभिभूतांस्तेषां तु तीर्थानि फलप्रदानि ॥ १ ॥

"कुलद्वयं चाप्यथ वर्जियत्वा मातापित्रोर्जन्म भूम्याश्रितं च ।

"अस्थीनि चान्यस्य नयन्वहंश्च भाग्यक्षयं लभते दुष्कृतं च ॥ २ ॥

"भागीरथी यत्र जता सुतीर्थे कुले नरः कोऽपि यदा विपन्नः ।

"तदा तदा तत्र तथाऽथ भक्ता भावेन चास्थीनि विनिक्षिपेच्च ॥ ३ ॥

"स्नात्वा ततः पंचगव्येन सिक्त्वा हिरण्यमध्वाज्यतिलेश्च योज्यम् ।

"ततस्तु मृत्यिंडपुटे निधाय पश्यन्दिशं प्रेतगणोपगूद्धम् ॥ ४ ॥

"नमोऽस्तु धर्माय वदन्प्रविश्य जले समे प्रीत इति क्षिपेच ।

"उत्थाय भास्वंतमवेश्य सूर्यं सदक्षिणां विप्रमुख्याय द्यात् ॥ ५ ॥

"एवं कृते प्रेतपुरःस्थितस्य स्वर्गे गतिः स्याच महेन्द्रतुल्ये ॥" इति ।

अथेतत्प्रयोग उच्यत । अस्थीन्यादाय मंगातीरेऽवस्थाप्य कर्ता सचैलं स्नानं त्रुटित इवाभाति ।

समुच्चयश्रमनिरासाह । अतोऽन्यमेवेति । व्यवस्थामाह । स्वस्वगृद्योक्तेति ।

बाक्षे तु वर्णविशेषणव्यवस्था प्रकारद्वयेनोक्ता

"चतुर्थे ब्राह्मणानां तु पंचमेऽहिन भूभृताम् । नवमे वैश्यजातीनां शूद्राणां दशमात्परे ॥
 "क्रचितृतीये विप्रस्य चतुर्थे क्षत्रियस्य च । पंचमे वैश्यजातेश्व शूद्रस्य दशमेहिन ॥

"अस्थनां च संचयः प्रेते कियते देशगौरवात्" ॥ इति । देशभेदेनानयोर्ब्यवस्था । आश्वक्षायनेन त्वन्योऽपि काल उक्तः (४।५।१) "सञ्चयनमूर्ध्व दशम्याः कृष्णपक्षस्यायुजास्वेकनक्षने" इति । कृष्णपक्षसंबंधिदशम्या ऊर्ध्वमयुग्मासु एकादशी त्रयोदशी पंचदशीनां मध्ये कस्यांचितिथा

२० वषाढाफल्गुनीप्रोष्टपदाभिन्ने एकनक्षत्रे संचयनं कार्यामित्यर्थः । अयं च कालोऽनतीते आशौच-काले यथासंभवं ज्ञेयः । अतीतेऽपि तत्र संवत्सर्रान्तादिसपिंडीकरणपक्षे ज्ञेयः । यदा तु द्वाद्शे तत् क्रियते तत्र चास्य न संभवति तदा पूर्वोक्त एव संचयनानंतरमाश्वलायनेन "श्राद्धमस्मै द्यु-रि"त्येकोदिष्टविधानात्सपिंडीकरणोत्तरं च तन्निषेधात् । संचयनप्रकारश्चाश्वलायनाद्युक्ते ज्ञेयः । अत्रत्नास्थिसंचयनविषये यागः पूजा ।तथा नामगोत्रपुरस्सरं । शुचिः स्नातादिः । अन्यासंभवादाह २५ देवताश्चेति । तत्र इमशाने। एवमग्रेऽपि । चोह्यर्थ। तात्पर्यार्थमाह । अत इति । तत्प्रकारश्च ब्राह्मे

"स्नात्वा त्रिरात्रं कुर्वेति प्रेतायोदकतर्पणम् ॥

"क्मशानदेवतायागं चतुर्थे दिवसे ततः । भवंति पूजिता यस्मात्तत्रस्थाः शंकरादयः ॥ "स्नातः सुधौतवस्त्रेश्च श्मशानस्य समीपगेः । स्वजातिविहितैर्द्रव्येथ्यशक्त्या समाहितः ॥ "श्वन्मयेषु च भांडेषु कुंभेषु रुचकेषु वा । सुपक्केर्भक्ष्यभाज्येश्च पायसेः पानकेस्तथा ॥ "फलेर्मूलैर्वनोन्यश्च पूज्याः क्रव्याददेवताः । केश्चिद्ध्यं प्रदातव्यं केश्चित्पुष्पं च शोभनम् ॥ "धूपो दीपस्तथा माल्यं केश्च देयं त्वरान्वितः । तत्र पात्राणि पूर्णानि श्मशानाग्नेः समंततः ॥ "केश्चिद्यानि सर्वाणि पानीयान्यक्षतानि च । निवेद्यद्भिर्वक्तव्यं तः सर्वेरनहंकृतेः ॥ "नमः क्रव्यादमुख्येभ्यो देवेभ्य इति सर्वदा । येऽत्र श्मशाने देवाः स्युर्भगवन्तः सनातनाः ॥ "तेऽस्मत्सकाशाद्धृद्धंतु विक्रमष्टांगमक्षयम् । प्रेतस्यास्य शुभान् होकान्प्रयच्छंतु च शाश्वतान् ॥

''अस्माकमायुरारोग्यं सुखं च ददताऽचिरम्।

"एवं कृत्वा बलीन्सर्वान्शिरेणाभ्युश्य वाग्यतैः । विसर्जनं तु देवानां कर्तव्यं च समाहितैः ॥ "ततो यत्त्रियवृक्षोत्थां शासामादाय वाग्यतः । अपसन्यं क्रमाद्वस्रं कृत्वा कश्चित्सगोत्रजः॥ "प्रेतस्थास्थीनि गृह्णाति प्रधानांगोद्भवानि च।

"पंचगव्येन संस्नाप्य शौमवस्त्रेण वेष्टच च। प्रक्षिप्य मृन्मये भांडे न वेत्याछादने शुभे ॥ "अरण्यवृक्षमूले वा शुद्धे संस्थापयत्यि । गृहीत्वाऽस्थीनि तद्भस्म नीत्वा तोये विनिक्षिपेत् ॥ "ततः संमार्जनं भूमेः कर्तव्यं गोमयांबुभिः । पूजा च पुष्पधूपायैर्वालिभिः पूर्ववत् क्रमात् ॥ "भूमेराच्छादनार्थं च वृक्षः पुष्करकोऽपि वा । पदको वा प्रकर्तव्यस्तत्र सर्वे विधानतः ॥" इति ।

अत्र भक्ष्यभोज्यपायसपानकपलम्लात्मको बलिः प्रधानम् । भक्ष्यादीनां पूजासाधन-त्वीकेः । अर्ध्यभक्तपुष्पाणि धूपो दीपः मालास्तं बुलादिपूर्णपात्राणि केषु चित्पात्रेषु पानीयानि यवा- १ ॰ बक्षताश्च । तदंगानि प्रधानांगानि चोक्तानि गृह्यकारिकायाम् ''शिरसो वक्षसः पाण्योः पार्श्वीभ्यां चैव पादतः । अप्रदक्षिणमस्थीनि गृह्यातीत्याह गोभिलः"॥ इति।

पुष्करकः पुष्करणीपट्टकश्चत्वरः । तदा चास्थिसंचयनदिने पूजां कृत्वा तत्कार्यमिति बोध्यम् ।

इशमेऽहनीति। स्वस्वस्तकांतिदनोपलक्षणम्। "अंते च वाससां त्याग" इति स्मृत्या स्त- १५ कांते कर्जव्यवासस्त्यागसाहचर्यात्केशादित्यागोऽपि तत्रैवेति भावः । नायं नियम इत्याह । तथेति । प्रयत्नत इत्यनेन तस्यावश्यकत्वं सूचितम् । आप्रदानत इति ब्याचष्टे । आप्रदानत इति ब्याचष्टे । आप्रदानत इति ब्याचष्टे । आप्रदेति । एकादशाहिकश्राद्धे इत्यर्थः । तथा च चतुर्थादीनामप्ययं विधिः । अन्यथा वैयर्थ्या- पत्तेः । स्वस्वदेशाचारेण व्यवस्थेति तत्त्वम् । एवं स्नानवत्सैर्वेषां वपनादौ प्राप्ते आह । वपनं

मि. पृ. १७१. चेति । चेनोद्द्वानस्य "समुच्चयः । अन्विति तेषां चोद्कसंस्पर्शने २० तावंतं कालमित्यादि । सिपंडा इति । एवं तेषामपि इतः सामान्येन प्राप्त आह । तेषां चेति । वयःकृतविशेषानादरेणेत्यर्थः । इद्मेवेति । तंत्रेणार्थद्वयमस्येति भावः । तत्रैक उक्तः । द्वितीयमाह । अनु पञ्चादिति । इतिरर्थसमाप्तो । तथा च कनीयः सिपंडानां तस्य नियमकमिद्मिति । ज्येष्ठानां नेति । 'कृतश्मश्रुकर्माण' इति विष्णवादिवाक्यमप्यनुभावि-विषयतया नेयम् । मतांतरमह् । अनुभाविनः पुन्ना इतीति । त एवेत्यर्थः । तत्र मानमाह । २५ गंगायामित् । मृते इत्यस्य तन्त्रेण भायकर्मप्रत्ययभेदेनोभयत्र यथासंख्यमन्वयः । सोमे तत्करणकाले । 'गुरोरिति' पाठे तु न तंत्रापेक्षा । अत्र पितृत्वादेः पुत्रत्वनिरूपितत्वेन एषामेव तदिति भावः । अत्र केचिदितिसूचिता । रुचिजीजं तु इत्थम् । पूर्ववचनेनेव पुत्राणां तद्दर्मिति-देशाच शिष्यस्यापि वपने सिद्धे "गंगायामि"त्यनेन मातापित्राचार्यमरणे तस्यावश्यकत्वमन्यत्रा-नियतत्वं कल्पते । अन्यथैतस्यानर्थक्यापत्तेर्वचनप्राप्तपरिसंख्याया अश्वयत्वात्तीर्थांतरेऽपि वपन- ३० सत्वाच । तथा चोक्तसामान्यवाक्यानामनेन नियंतुमशक्यत्वात्ततः कनिष्ठानां सिपंडानां वपनमिति यक्तमिति । तथा च देवलः

१ ख- तके,। २अ.१९ स.१%।

"मुंडनं चोपवासश्च सर्वतिर्थिष्वयं विधि:। वर्जयित्वा कुरुक्षेत्रं विशालं विरजं गयाम्॥ "इति । विशाला बदरिकाश्रमः। अवंती वा। विरजमुत्कलदेशे यत्र धर्मराजेन गयासुरनामो विरजादिः स्थापित इति वायवीये । 'दक्षिणदेशस्थ लोणारक्षेत्रमपि विरजं' इति आदित्यपुराणे । "नैमिषं पुष्करं गयामिति" कचित्पाटः। "विशालं पुष्करं गयामि"त्यन्यत्र। "वर्जयित्वा गयां गंगा-५ मि"त्यन्यत्र पाटः।

"गंगां प्राप्य सिरच्छ्रेष्ठां वपनं यो न कारयेत्। स कोटिकुळसंयुक्त आ कल्पं रौरवं वजेत्॥" इत्यादि तु यदि प्रामाणिकं तदा काशीप्रयागमायापुर्यादितीर्थसमीपस्थगंगापरिमत्याद्वः। अत्र कुरुक्षेत्रशब्देन काश्यपि जाबाळातिश्रुत्यादेरित्यन्ये। अत्र गंगापदं च तीर्थमात्रोपळक्षणं। "विना तीर्थं विना यज्ञं मातापित्रोर्मृतिं विना। यो वापयति लोमानि स पुत्रः पितृघातकः॥" इत्युक्तेः। तेन गंगायामित्यादिनियमेनान्यत्र प्राप्त्यभावात् "वर्जयित्वा गयाम्" इत्यादि व्यर्थमिति। "राजा कुमारी नारी च जीवतश्च पितुः सुतः। मुंडनं सर्वतीर्थेषु न कुर्याद्वभिंणीपितः॥"

इत्युक्ते: । रामभरतयुधिष्ठिरतत्पत्न्यादीनां मुंडनाश्रवणाच क्षत्रियादीनां तद्नधिकार इति चापास्तम्। उक्तयुक्तेस्तस्य निर्मूळत्वाच। यदपि प्राच्याः अत्रत्य गंगापदस्य तत्रत्य सर्वतीर्थशब्दस्य बहुत्रीहिणा रूढ्या च प्रयागमात्रपरता अतस्तत्रैवोपवासवपने इति तदिप न बहुवचनानुत्पत्या- पत्तेः । देवप्रयागादिषु न बहुत्रीह्यर्थः इति न तान्यादाय बहुवचनोपपत्तिः । किंच तत्समाकारं वचनमग्निवायुपुराणयोर्गयाप्रकरणे स्कांदे च प्रभासप्रकरणे पठ्यतेऽतो न प्रयागमात्रपरता । मात्स्ये (अ. १०४।७१०८।११)

''अन्ये च बहवस्तीर्थाः सर्वपापहराः शुभाः । तस्मात्कुरुष्व कौतय सर्वतीर्था भिषेचनम्'' ॥

इति प्रयागप्रकरणे पाठः,। तत्र रूटेरसंभवाच्च "प्रयागं सर्वतीर्थेभ्यः प्रवद्त्यधिकं २. विभो" इति भौरत्विरोधाच । अपि च विशालादिपर्युदासानुपपत्तिवचनस्य प्रयागमात्रपरत्व प्राप्तेरभावात् दोषाधिक्यपरता तु वाक्यार्थानुपपत्तेरसंभवद्वक्तिका । सामान्यनिष्धेनेव सिद्धे विशेष-निष्धस्य हि तदाधिक्यपरता दृष्टा। एतेनास्य "प्रयागवचनं कुर्यात्" इत्यादिवचनांतरिविशेषे उप-संहारश्चतुर्द्धाकरणवदित्यप्यपास्तम् । सर्वतीर्थेष्विति सामान्यविधेः सर्वशब्दबहुवचनवलादशेष-तिर्थपरत्या स्पष्टत्वेनोपसंहारासंभवात्। "यदेवं विद्यया"इत्यादिवत् (छादाय्य अ. १,१,१०)। तदुक्तम् (पूर्वमामांसायां) 'सामान्यविधिरस्पष्टः संह्रियतं विशेषतं" इति । यदिष 'गंगायामि'त्यव भास्करक्षेत्रशब्देन प्रयागमिति तद्विश्चित्रगंपमयां मुंडनमिति तदिष न प्रयागस्य प्रजापति-क्षेत्रत्वात् । "प्रजापतिरदं क्षेत्रं प्रयागमितिविश्चतर्मिति" मात्स्यात् (अ. १११ क्लो. १४)। "प्रतस्प्रजापतिक्षेत्रं विषु लोकेषु विश्वतमिति" प्रयाभोपक्रमेण (मात्स्य १०४। अ. ३६ क्लो. २०) कौर्माच ।

"तत्र यः सिवतुः क्षेत्रे प्राणांस्त्यजिति मानवः । स सूर्यलोकमामोति" इत्यादिना तदंतर्गतकोणादित्यादेरेव भास्करक्षेत्रत्वप्रतीतेश्च । तत्र प्रयागे सप्तस्वित्युपात्तसंरव्याविरोधाचेति दिक् । अत्र पित्रादिग्रहणं भर्तुरप्युपलक्षणम् ।

१ यनपर्वे अ. ८३ श्लो. ७९ ।

'पुत्रः पत्नी च वपनं कुर्यादंतं यथाविथिः । पिंडदानोचितोऽन्योऽपि कुर्यादित्थं समाहितः॥" इति द्यासेन पत्न्या अपि वपनविधानात् । यत्तु दाहकर्जुर्दाहांगभूतं वपनं प्रथमिदने स्मृतिसंग्रहे उक्तं "रात्रौ दग्ध्वा तु पिंडांतं कृत्वा वपनवर्जितम्। वपनं नेष्यते रात्रौ इवस्तनी वपनिक्रिया॥"इति कचित्तु सर्वपुत्राणामुक्तं तत् मदनपारिजातादौ प्रथमादिदिनकृतवपनस्यापि पुनराशौचांते वपनमुक्तम् । तत्र सर्वत्र प्रमाणं मृग्यम् । संग्रह्दवाक्यस्य प्रागुक्तवचनैः पाक्षिकप्राप्तप्रथमिदिनवपनस्य प्राविद्विहे रात्राविप प्रसंगे तिन्नविधेद्वारा पाक्षिकप्राप्तदिवसवपनपरतयोपपत्तेः । तत्र मूळं तु संवक्तींकौ 'दिने' इत्युक्तमेव । अत एव संग्रहे "दाहोत्तरं वपनवर्जितं पिंडांतं कृत्वा" इत्युक्तं इति दिक् ।

अन्यद्प्याशौचांत्यदिनकृत्यं बाह्ये उक्तम्

''यस्य यस्य तु वर्णस्य यद्यस्मात्पश्चिमं त्वहः । स तत्र वस्त्रशुद्धं च करोत्यपि समाप्य ह ॥ ५, ''*समं पिंड यथाशास्त्रमुदाहतं । ग्रामाद्वहिस्ततो गत्वा प्रेतस्य श्वेतवाससी

''अन्त्यानामाश्रितानां च त्यक्ता स्नानं करोति च। इमश्रुलोमनसानां च यत्त्याज्यं तज्जहत्यिष ॥ ''गौरसर्षपकल्केन तिलकल्केन संयुतम् । शिरःस्नानं ततः कृत्वा तोयेनाचम्य वाग्यतः ॥ ''वासोयुग्मं वनं शुक्कमवणं शुद्धमेव च [गृहीत्वा गां सुवर्णं च मंगलानि शुभानि च ॥ ''स्पृष्ट्वा संकीर्तियत्वा च पश्चाच्छुद्धो भवेन्नरः ॥'' इतीति दिक् ।

(उत्तरार्द्धः)

निवृत्ताविति । "शुचिना कर्म कर्त्तव्यामिति" शुचित्वस्य कर्मागतया विधानादिति भावः । केषुचित् वक्ष्यमाणे तु । आहेति विधिमाहत्यर्थः ।

भावप्रत्ययानुरोधेनाह। अग्नीनामिति। तत्रेति। तस्मिन्सिते अर्थाद्शिषु भवात्यर्थः । बहुवचनांतयो द्वृंद्व इत्याह । वेताना इति । दिक्षदर्शनिमदं नत्वत्राग्रहः । क्ष्मप्रत्ययेन तु व्याख्यानमग्रिम- २० वयुक्तं । तद्तद्व्वनयन्नाह। त्रेताग्नीति । अनितिप्रसंगायाह । प्रतीति । समर्थीभयत्र योगक्रिहिरिति तात्पर्य । पदार्थमुक्त्वा वाक्यार्थमाह । ता इति । श्रुतिचोदनादिति । न करणे हेतुरित प्रसंगात् । किंतु वैदिकी चेत्याशयेनाशेषण व्याचष्टे । वैदिक्य इति । अत एवानन्वेततमंशं प्रश्नपूर्व व्याचष्टे । कथिमिति । तद्मिति । प्रसक्तमिति भावः । श्रुतीत्यस्य प्रत्यक्षोपलभ्यमानश्रुतीत्यर्थ इत्याशयेनाह । तथा च नातिप्रसंगः ।

्षतद्वागि तद्वपादानांगत भावस्तद्गह । अत्र चेति । श्रौतत्वेति । वैदिकी त्वेत्यर्थः । स्मातींति । अनुपरुभ्यमानश्चितिकेत्यर्थः । एवमग्रेऽपि । तत्कास्त्रामिति । 'कालाध्वनोरिति'' दितीया । अत्र श्रौतपदेनौपासनमपि तस्यापि मूलकृता तत्वस्योक्तत्वात् । वैतानेत्युपरुक्षणं नैमिनिकस्यापीत्यपि तद्वक्तिफलमन्यथाऽऽनर्थक्यं स्पष्टमेवेत्याशयेनाह । श्रौतानां चोते । वैतानौपासनानामिति शेषः । नित्यनैमित्तिकेति । अग्रिमन्मात्रस्य तत्साध्यानन्यगतिकनित्यनैमित्तिकेन ३ । तथा च तदसाध्यानां तेषामपि नानुष्ठानमिति भावः । तत्र मानमाह । यथाहेति । पारस्करोऽप्येवम् । अत्रापि नित्यग्रहणमावश्यकोपरुक्षणमित्याह । आवश्यकेति । तत्स्वरूप-

[🍍] अत्र तु जुटिन मिशाभावि । १ व्या, सु. २।३।५ ।

माह । नित्यनेमीति । तन्मात्राणामित्यर्थः । तथा च नित्यशब्देनावश्यकनैमित्तिकानामण्युपसंग्रह इति वैतानादिकर्मप्रतिप्रसवोऽपि तादृशनैमित्तिकस्यापि प्रतिप्रसिद्धेति भावः । 'दास'
इत्यस्योक्त इत्यत्रान्वयः । अयमस्यैव शेषो न पूर्वस्यापीति भावः । अयमुभयोः शेष इति तु
मदनपारिजाते । एकपदार्थमाह । पाक्षिक इति । अयं निषेधो नित्याग्निहोत्रादिषु न प्रवर्तत
क्रित्यर्थः । मूळादितात्पर्यार्थमाह । अत इति । तद्साध्यानां तेषां निवर्तकोक्तवचनवद्त्र वचनाभावादाह । शोचिति । शुद्धिभावादित्यर्थः । एवरीत्या तेषामपि तस्य सिद्धिस्तथापि वैत्रानेत्यादिदृष्टांतेन तेषामपि तत्वभ्रांतिनिरासाय । 'नित्यानीति' निषेध इति न तदानर्थक्यमितिभावः । अनेनेव मूळादितात्पर्याभूतेनाग्निमदित्यायुक्तेनैव प्रत्यूहत इति । अशुचित्वात्सर्वश्रौतस्मार्ताक्रियाविनिवृत्तौ प्राप्तायामिद्मुच्यते । अग्निषु याः क्रियाः सायंहोमाद्यास्तान् प्रत्यूहेन प्रत्यस्येत् । प्रत्यूहो
निर्हासोऽननुष्ठानमिति मेधातिथिः । इति इत्यनेन तत्र नित्यानाह । पंचेति । आदिना
नैमित्तिकपरिग्रहः । होमं द्विविधं तत्र द्विवधाशौचे छंदोगपरिशिष्टेऽपि

"होमः श्रोते तु कर्तव्यः शुष्कान्नेन फलेन वा । अकृतं हावयेत्स्मार्ते तद्दभावे कृताकृतम ॥
"कृतमोदनसकादि तंंडुलादि कृताकृतम् । वीद्यादि चाकृतं प्रोक्तमिति द्व्यं त्रिधा बुधैः"॥ इति ।
एवं चाग्निसाध्यनैमित्तिककर्मभिन्नकर्मस्वनाधिकारस्य शौचाभावादेव सिद्धत्वात्प्रतिप्रसवां५५ तराभावाच्च "पंचयज्ञेत्यादिक"मनुवाद एव । एवं पैठीनसित्ताक्येऽपि तत्पर्युद्धासार्थं नित्यानित्यानुवाद एवेति बोध्यम् । एवमपि वैश्वदेवस्याग्निसाध्यत्वेन 'प्रत्यृहोदिति' मनोः कर्तव्यत्वापत्तिह्रपातिप्रसंगप्राप्तावाह । वैश्वेति । तस्यापि नित्यत्वादिति भावः । तेनव । संवर्तेनेव । एवं
चोक्तनित्यनैमित्तिकभिन्नानां नित्यनैमित्तिकानामपि निवृत्तिः काम्यानां तु सर्वेषां निवृत्तिरिति
तत्वम् । यद्यपि 'पंचयज्ञे'त्यनेनैव वैश्वदेवस्यापि निषेधः सिद्धस्तथापि येषां तेतिरियादीनां पंच२० यज्ञभिन्नो वैश्वदेवस्तदर्थः पृथक्निषेध इति बोध्यम् । संध्यावंदनस्योक्तरित्याऽग्निसाध्यत्वेन शौचाभावादेवाप्राप्तौ विशेषं वकुं तदनुवादकम् । एवमग्रेऽपि वचनं तावदाह । सृतके इति । इदं
शावस्याप्युपलक्षणम् । "संध्यात्रयं तु कर्तव्यमिति" मूलोक्तेः । तथा च वैष्णवे (तृतीयांशे
अ. ११, श्लो. ९७)

"सर्वकारुमुपास्यानं संध्ययोः पार्थिवेष्यते । अन्यत्र सूतकाशौचविश्रमातुरमीतितः ॥"

२५ मरीचिप्रक्षेपादिकमित्यत्रादिशब्दः प्रकारेण तु प्रभृताविति न स्मृत्यंतरविरोधः । साविज्येत्यनेन मध्याह्ने "हश्स"इत्यस्य निवृत्तिः । अंजिलिमित्येककचनेनैकांजिलेरेव । अत्रेदं तत्वम् । यूद्यपि "संध्यामिष्टिचरं होमं यावज्जीवं समाचरेत्। न त्यजेतसूतकेनापि त्यजन् गच्छेद्धो द्विजः"॥

इति पुलस्त्योक्तेरिष्टिराहिताभेर्दर्शपूर्णमासादिका चरुरनाहिताभेः स्थान्तीपाकादिरूपः । होमो द्विविध इत्यार्थिकापातस्यायथास्थितकर्तव्यता प्राप्ता तथापि

"सूतके मृतके चैव संध्याकर्म समाचरेत् । मनसोचारयेन्मंत्रान्प्राणायाममृते द्विज" ॥ इति
तद्धक्तप्रकारेणैव कार्य । "प्राणायाममृते" इति न मानसत्वे मुखनासिकासंचारिवायुनिरोधेन
तन्मंत्रपाठेन तस्य सिद्धत्वात् । किंतु मंत्रेष्वेव।तथा चामंत्रकः प्राणायामः कार्य इत्युक्तं भवति ।
प्राणायाम एव न कार्य इति तु मदनपारिजातोक्तं चिंत्यम् । वश्यमाणभारद्वाज्यविरोधात् ।

अनेन प्राणायामभिन्नं सर्वं मानसमंत्रेः कार्यमिति सूचितम् । यद्यपि तथापि अर्घ्यदाने मंत्रोचार-स्तदुत्तरकर्मलोपो बोध्यः । सूतके साविज्येत्युक्तपैठीनसेः साविज्याः प्राप्तत्वातपुलस्त्योक्तमानसत्व-निवृत्त्यर्थमेव तत्र सावित्रीग्रहणमिति मद्नानुयायिनः केचित् । तन्न । उक्तरीत्या ग्रहणस्य साफल्यात् । तस्माद्भारद्वाजोक्तेस्तथेति यक्तं । तथा च भारद्वाजः

"सूतके मृतके कुर्योत्प्राणायामममंत्रकम् । तथा मार्जनमंत्रास्तु मनसोद्धार्यं मार्जयत् । "गायत्रीं सम्यगुचार्य सूर्यायाध्यं निवेदयेत् । मार्जनं तु न वा कार्यमुपस्थानं न चैव हि"॥ इति । ननु ताल्वादिव्यापाराभावेनोच्चारणसंभवात्कथमिदमिति वाच्यम् । सूक्ष्मतरताल्वादिव्यापारेण सूक्ष्मतरस्वोच्चारणसत्वात् । जपे मंत्राणां त्रैस्वर्येणैव ज्ञानस्यावश्यकतया तस्य च तत्तत्स्थानेषूच-देशाद्युपरुभ्यमानत्वरूपतया तस्यावश्यकत्वादिदमेव मानसमुच्चारणम् । अत एव मानसा जपरुक्षणे

"घिया यदक्षरश्रेणीवर्णस्वरपदात्मिकाम् । उच्चरेदर्थर्ससमृत्या स उक्तो मानसो जपः" ॥

इत्यत्रोचरेदित्युक्तमेव पुस्तकदर्शनस्थलेऽपि बोध्यम् । अत्र दशवारं गायत्रीजपोऽपि कार्यः । तथा चाश्वलायनः । "आपन्नश्चाशुचिः काले तिष्ठन्नपि जपेद्दशेति ।" आपन्न आपद्यस्तः । तं प्रत्यिक्षस्मृतावंतरहानावप्यर्ध्यस्यावश्यकतोक्ता ।

"जलाऽभावे महामार्गे बंधने त्वशुचाविष । उभयोः संध्ययोः काले रजसा चार्ध्यमुत्सुजेदिति"॥ १५

अशुचो अशौचे । तथा च 'सूतके' इत्यादिमरीच्यादिवाक्यं च स्वरूपतस्तत्र संध्यानिषेध-परमपि तु मंत्राचारणपूर्वकसंपूर्णसंध्यानिषेधपरामिति । अनिश्रसंध्यत्वेऽपि वचनात्तदेकदेशानुष्टान-मिति न कोऽपि विरोध इति ।

एवमनग्निसाध्यपंचयज्ञादिनिवृत्तेः प्रागुकैत्वेन प्रागुपस्थित्या तत्प्रसंगेन संध्यावंदने विशेष-एव वाचनिकं विशेषमाह । २० मुक्ता ''वैश्वदेवस्ये"त्यादिपश्चादुक्तरीत्या प्रागुक्ते मूलीये 🖥 यद्यपीत्यादिना । तथापीति । कार्या इति णिज्गर्भमितिभावः । प्रागुक्तपैठीनस्य थ्यवहितं तत्प्राह । अन्ये इति । अन्ये असपिंडा एतानि कुर्युरित्यर्थः । अन्येनासपिंडे-नैतानि वैतानोपासनानि कारयोदिति तात्पर्यार्थः । पारस्करोऽप्येवम् । यतु "अत्र वैतानान्यपि प्रकृतानीति" मिताक्षरातोऽवगम्यत इति तत्तु समृत्याद्यदर्शनमूलकम् । करणपक्षस्वीकारे इद-मिति तु मदनपारिजाते अस्य सामान्यविषयकत्वप्रकटनायैवमसत्यतरमाह । बृहस्पतिनेति । २५ हावयेदन्येन होमं कारयेत् । हापयेत् त्याजयेत् । अत्र त्यागानुकूरुव्यापारानुकूरुव्यापारनिषेधे विशेषणस्य त्यागानुकूळव्यापारस्यापि निषेध इति बोध्यम् । अनुपलभ्यमानश्रुतिकस्मार्तत्वेन दानादिवद्न्यत्रापि निवृत्तिप्रसंगे विशेषं वाचनिकमाह । तथेति । पिंडयज्ञः पिंडपितृयज्ञः । चरुः श्रवणाकर्माश्वयुज्यादिकः। स्थालीपाकश्च । होमः द्विविघो नित्यः । असगोत्रः असपिंडः सपिंडनिषेधस्य शौचनिमित्तत्वात् । तथा चाशौचराहितेन ब्रह्मचारिणाऽसपिंडेनापि होतव्यमिति ३० गम्यते । अस्यान्तर्ग्रहणं श्रौतस्याप्युपलक्षणम् । "वैतानौपासना" इत्यनेन सामान्यतोऽधिकारे ज्ञातेऽस्य विशेषप्रतिपादकत्वात् ।

एवं सित प्रसक्तप्रागुक्तव्याद्यपाद्विरोधपरिहारायात्रापि विशेषमाह । ययपीति । पैठीनिस्वचनात्प्रोक्तमिति भावः । स्वयं । स्वयमेव । तत्र बीजमाह । तस्येति । अन्यस्वत्वाभावादितिभावः । अत एवेति । एतद्दिषयकमेव तेन तत्फलकशुद्धचर्थं स्नानविधानमित्यर्थः । होमांशे

मि. पृ. १७२ विरोधं परिहरति । यत्पुनिरित । काम्येति । कामहोम इत्यर्थः । त्यागमिन्ने

पत्वनाशौचित्वप्रयुक्तं कर्नृत्वमन्यस्यैव प्रोक्तपैठीनस्तस्माद्दैतानिकेऽपि त्यागमात्रे स्वयं कर्नृत्वमन्यत्र त्वन्यस्यै स्मार्तविदिति तात्पर्यम् । दीक्षितस्य तु याजमानमात्रेऽधिकारः । 'ऋत्विजां
दीक्षितानां चे'ति वक्ष्यमाणमूले दीक्षितग्रहणात् । अन्यथा "वैतानोपासना"इत्यन्नैव व्याद्यपादोपोद्दिलेतेन सिद्धे तदानर्थक्यापत्तेरिदं च तत्रैव व्याख्याने एव व्यक्तीभविष्यतीति
व्याख्यानृसम्मतः पंथाः । अन्ये तु सर्वे तत्कल्पसूत्रमाष्यकारादयो निबंधकाराः सार्वजनीन
१ श्रौतस्मार्त्तविभागवशावथाश्रुतसमस्तवचनानुसारेण वैतानिके सर्वत्रापि स्वयंकर्नृत्वं वदन्ति ।

"कर्म वैतानिकं कार्य स्नानोपस्पर्शनात्स्वयम् । जन्महान्योर्वितानस्य कर्मयोगो न विद्यते ॥
"शालाग्रौ केवलो होमः कार्य एवान्यगोत्रजैः ।" इत्यादीनि च हारीतजाबालादिवचनानि
स्पष्टार्थानि लिखन्ति केचिन्मतमपि वक्ष्यते । वस्तुतस्तु यत्र सूत्रे विशिष्य यथोक्तं श्रौते
स्मार्ते च तत्त्रथैवानुष्ठेयम् । अन्यत्र तु विज्ञानेश्वरसंमतसरणिरेव हारीतजाबालादिवाक्या१५ नामपि तद्रीत्या योजयितुं शक्यत्वादेवं वक्ष्यमाणमतसाधकस्यापीति तत्वं बोध्यम् । तथा स्तकादौ
ग्रहणे सित स्नानदानश्राद्धादावदोषः । तथा च वसिष्ठः

"चंद्रसूर्यग्रहे स्नायान्मृतके सूंतकेऽपि च । अस्नायी मृत्युमामोति स्नायी मृत्युं न विंद्ति" ॥ तथा "मृतके सृतके चैव न दोषो राहुदर्शने । तावदेव भवेत् शुद्धिर्यावन्मुंक्तिर्न हरूयते" ॥ इति । प्राच्यास्तु स्नानमेव कार्य न श्राद्धदानादीत्याहुस्तन्न । द्वितीयवचनाद्वेयध्यापनेः । प्रारंभा-२० भावेऽपि कन्याया अधार्य च । मृहूर्तातराभावे च कृष्मांडहोमादिपूर्व विवाहप्रारंभोऽप्युक्तो विष्णुना

"अनारब्धविशुद्धचर्थकृष्मांडेर्जुहुयात् घृतम् । गां द्यात्पंचगव्याशां ततः शुध्यति सूतकी ॥" इति इदं वाक्यमेतादृशविषये एव सार्थकमिति न सर्वविषयम् । कृष्मांडे: कृष्मांडमंत्रेः । संक्रांति-निमत्तकन्नानादाविष नाशौचमित्युक्तं प्रयोगपारिजाते नित्यस्नानाचमनभोजनियमम् । २५ तपश्नेषु नाशौचम् । अन्यतु नित्यनैमित्तकादि न भवति इति दिक् । केचित्तु यजमानेनाशौच-मध्येऽग्रिहोत्रहोमः औपासनहोमश्च कर्त्तव्यो न कर्त्तव्यो वेति संशयेनेति तावत्याप्तम् । कतः

"दशाहं शावमाशौचं सिपंडेषु विधीयते। जननेऽप्येवमेवं स्यान्निपुणां शुद्धिमिच्छताम् ॥" इत्यादिमन्वौ विस्मृतिप्रमाणादशुचित्वात् "शुचिना कर्म कर्तव्यम्" इत्यादिवचनादशुचेरनिध-कारात्। अत एवं "सूतके रुर्मणां त्यागः संध्यादीनां विधीयते" इति संवर्तीकं।

"सूतके तु समुत्पने स्मार्त कर्म कथं भवेत्। पिंडयज्ञं चर्र होममसगोत्रेण कारयेत्॥"

इति जातूकण्योंकं च संगच्छते। तस्मादाशौचिना यजमानेनाग्निहोत्रहोमो गृह्याग्निहोस्ख न कर्तव्य एवेति चेन्न "वैतानौपासनाः कार्याः क्रियाश्च श्रुतिचोदनात्" इति याज्ञ-

१ स- व्यक्तिर्भविष्यतीति । २ अभावे च-इतिपाठः । ३ अ. ५ श्लो. ५९ ।

प्रकरणम् १ ै १७ श्लोकः

वस्क्योक्तेः (प्रा. १७)। वैतानास्रेताग्निसाध्या अग्निहोत्रदर्शपौर्णमासाद्याः क्रिया उच्यंते प्रतिदिनमुपास्यत इत्युपासनो गृह्योऽग्निस्तत्र भैवा औपासनाः सायंप्रातहीमिक्रिया उच्यंत इति ता वैतानौपासना वैदिक्यो क्रियाः कार्याः। कंथ वैदिकत्वमिति चेत्। श्रुतिचोदनात्। तथा हि "यावज्जीवमित्रहोत्रं जुहुयादि"त्यादिश्रुतिरग्निहोत्रादीनां चोदना स्पष्टैव। तथा "अहरहः स्वाहा कुर्यादिशत्योपासनहोमोऽपि चोद्यते। अत्र च श्रौतत्विवेशषणोपादानात्समार्तिक्रियाणां पदानादीनामनुष्टानं गम्यते। अत प्रव व्याव्यादेनोक्तम्

''स्मार्तकर्मपरित्यागो राहोरन्यत्र सूतके । श्रौते कर्माण तत्कालं स्नातः शुचिमवाप्नुयात्'' ॥ इति

मिताक्षरायामुक्तं । अत स्नानाचमने तात्कालिके अग्निहोत्रस्य होमार्थं शुद्धिस्तात्कालिकी भविदित्यनंतदेवधृतगोभिल्ठवचनात् "कर्म वैतानिकं कार्यं स्नानोपस्पर्शनात्त्वयामिति" विज्ञाने-श्वरनंदपंडितादिधृतहारीतवचनाच । अत्र वैतानिकग्रहणमोपासनहोमोपलक्षणार्थं तस्यापि १० श्रोतत्वेन मिताक्षरोक्तिरिति कौस्तुभकृतः । तस्मादिग्निहोत्रहोमवदौपासनहोममपि यजमानः स्नात्वा स्वयमेव कुर्यात् । असंभवं त्वसगोत्रेण कारयेत् । तदाह मदनपारिजाते जातूकण्यः "संध्यामिष्टि चर्तं होमं यावञ्जीवं समाचरेत् । न त्यजेतसूतके चापि त्यजन्गच्छेदधो द्विजः ॥" इति ।

इष्टिराहिताग्रेर्दर्शपूर्णमासात्मिका । चरुरनाहिताग्नेः स्थालीपाकादिरूपः । स चाशौचरहितेन कारणीयः । तदाह जातूकण्येः

"सूतके तु समुत्पन्ने स्मार्त कर्म कथं भवेत् । पिंडयज्ञं चरुं होममसगोत्रेण कारयेत्"॥

ैपिंडयज्ञः पिंडपितृयज्ञः । चरुः श्रवणाकर्माश्वयुज्यादिकः स्थारुपािकश्च । होम औपासनः। सोऽसगोत्रेणापि कारणीय इत्याशयेन तदुक्तिः। न तु तत्रापि नियमः "अग्निहोत्रतुल्यत्वादिति" कोस्तुभक्कतः । स्मृत्यर्थसारेऽपि जाताशौचे च मृताक्गौचे च त्रेताग्निसाध्याग्निहोत्रदर्शपूर्ण-मासाया नित्यनमिनिकाः क्रियाः कार्याः । औपासनाग्निसाध्याश्च सायंप्रातहींमद्रशस्थालीपाकाया २० नित्यनैमिनिकाः श्रुतिचोदितत्वात्कियाः कार्यो एव । असंभवे त्वत्सगोत्रेण हावयेत् । न सर्वथा हापयेत् स्मार्तत्वेऽपि पिंडपितृयज्ञश्रवणाकर्माश्र्ययुजीकर्मादिकमसगोत्रेण कारयेत् । न हापयेत् । यजमानस्तु स्नात्वाचाम्याहादशत्यागोकुर्यादिति यद्यपि सांगे कर्मण्यकर्तृत्वं तथापि द्रव्यत्यागात्मकं प्रधानं स्वयं कुर्यात । तस्यानन्यनिष्पाद्यत्वादिति विज्ञानेश्वरः । पारस्करस्तु औपासन-होमादो विकल्पमाह (३।१०।३२-२४) "नित्यानि विनिवर्तरन्वैतानवर्ज शालामी चैके अन्य २५ एतानि कुर्युरिति[?]े। अत्र त्रित्यशब्देनावश्यकनेभित्तिकानामपसंग्रहः । अतो वैतानानां स्मार्तानां च कर्मणा प्रतिप्रसर्वेऽपि नेमित्तिकस्यापीति कैस्यापि प्रतिप्रसवः । काम्यानां तु सर्वत्र सर्वथाऽपि निवृत्तिः । वितानस्रेताग्रिस्तत्र क्रियमाणानि नित्याग्रिहोत्रादीनि वैतानानि वर्जियत्वा "नित्यानि विनिवर्तेरिन्न "त्ययं निषेधो नित्याग्निहोत्रादिषु न प्रवर्तत इत्यर्थः । अतः स्वयमेव कुर्यात् । शालाग्नि-गृह्याग्नितत्संबंधिनां सायंग्रातहोमस्थालीपाकादीनां पाक्षिकी कर्तव्यता करणप्रकरणं वा शास्त्रार्थ ३० इति पारिजाते । तत्र शक्तो करणमशकात्रकरणामिति तात्पर्य । अकरणपक्षेऽसिपेंडेना-न्येनैतानि कारयेन सर्वथा त्यजेदित्यर्थः । मिताक्षरायां पैठीनासिरपि "नित्यानि

विनिवर्तेरन् शालामो चैके " इति । नित्यानि विनिवर्तेरिन्नत्यिवेशिषणावश्यकानां निवृत्तां प्रसक्तायां वैतानवर्जिमित्यमित्रयसाध्यावश्यकानां पर्युदासः । "शालामो चैक" इति गृह्यामो भवानामप्यावश्यकानां पाक्षिकः पर्युदास उक्त इति विज्ञानेश्वरः । तमेवानुसरंति दाक्षिणात्याः । अत्रेकम्महणं पूजार्थम् । तेनोपासनामिसाध्यमावश्यकं कार्यमेवेति हारलतायाम् । तत्राऽध- पक्षे येषां बहुत्वादीनां दादशरात्रमहोमेऽपि नामिविच्छेदस्तैर्न कार्यः। येषां तु त्रिरात्रमहूयमानोऽ- मिल्लीकिकः संपद्यते तैस्तैत्तिरीयाद्यैः कार्य इति व्यवस्थापयंति सन्न सहंते न्यायविदः । प्रमादा-दिना द्वादशरात्रमहोमेणामिमवच्छेदेऽपि बुद्धिपूर्वमहोमेनामिच्छेदे प्रमाणाभावात्। यन्त्वाश्वलायनः "स्मातामिः स्तके शावे स्वयं न जुहुयात् द्विजः । श्रोतामिस्तु सवृद्धत्वात्समाप्ते वा स्वयं हुनेदिति"॥ तत्समारूढपरम् । तदाह स एव

"स्मातिग्रिरात्मनोऽन्येषामभावे सूतकादिषु । समारोप्य तदंते तु विहत्य जुहुयात्स्वयम् " ॥ इति।
 मनुरपि (५।८३)। "प्रत्यूहेन्नाग्रिषु किया" इति । एतेन भयोगरत्नं व्याख्यातं तस्मादेख्यिको विकल्पः । एतदुक्तं बृहस्पितिना

"सूतके मृतके चैव अशक्तों श्राद्धभोजने । प्रवासादिनिमित्तेषु हावयेन्न तु हापयेत्''॥ इति । यत्तु "आशौचे होमदानप्रतिग्रहस्वाध्याया निवर्तन्ते । नाशौचे कस्यन्विदन्नमश्चीयादिति'' १५ विष्णुवचनं तत्र होमो वैश्वदेवाख्यः । न त्विप्रहोत्रौपासनाख्यः । तस्य 'वैतानोपासना'इत्यादि-पूर्वोक्तयाञ्चयक्कयवाक्येन श्रौतत्वोक्त्या प्रबलत्वेनाऽऽवाध्यत्वात् न्याय्यम् । तस्मायथोक्तयेव

"विप्रो दशाहमासीत वैश्वदेवविवर्जितः । पंचयज्ञविधानं तुं न कुर्यानमृतिजनमनोः"॥ इति । संवर्तोक्तः । पुर्नवचनं "दानं प्रतिमहो होमः स्वाध्यायश्च विवर्तत" इति तत्काम्यहोमाभिप्रायकमेवेति निर्णयामृते वैश्वदेवाभिप्रायकमिति विज्ञानेश्वरपारिजातौ । तस्मादाशौचमध्ये यजमानः , स्नात्वाऽऽचम्य स्वयमग्रिहोत्रहोमं कुर्यादौपासनहोमं स्वयं कुर्यादन्येन वा कारयेदिति स्मृतिद्वेविध्याविकत्यः । तस्मादाशौचिना यजमानेन स्वयमौपासनहोमे कृतेनाग्रेलींकिकत्वमिति सिद्धमिति यमानक्तम् । विशेषांतरमाह । तथेति । अर्शआयचा सूतकान्नमित्यर्थः । असकुल्यैरिति भावः । स्यूनाधिकसंग्रहायाह । दशाहानीतीति । सूतकपदमाशौचमात्रपरम् । एवमग्रेऽपि । पृवीनरार्द्यन् माह । सूतके त्विति । तदेवात्रं कुलस्य तु अदोषं भोज्यमित्यर्थः । इत एव पूर्वार्धमसकुल्यपर् ।

एवं सामान्येनोक्ते निषेधे विशेषमाह। अयं चेति अन्यतरेणेति। तथा च दात्रा आसीचनिमित्ते ज्ञाते भोक्त्रा अज्ञानेऽपि दातुराशौचित्वात्तत्त्वामिकेऽन्ने प्रवर्तत एव। अज्ञानप्रवृत्तत्वाप्रायश्चित्ताल्पत्वं भोक्तः। दात्राज्ञातेऽपि भोक्ताज्ञाते तु तत्द्रव्यस्याशौचिस्वामिकत्वाभावेऽपि
बचनात्प्रवर्तत इति भावः। उभाभ्यां दातृभोक्तृभ्यां यद्यपि दात्रा सूतकाद्यपरिज्ञाते दातुस्तन्नास्ति
जननादिज्ञानस्येव तत्र निमित्तत्त्वात् तथापि दातृपरिज्ञानं केवलं भोक्ताज्ञातेऽपि वचनाद्भोजन, दोषो भोक्तुरेव। इत्थं हि तदुपपत्तिः। दातुर्ज्ञानं सूतकादिप्राप्तौ निमित्तस्। भोक्तुर्ज्ञानं भोजननिवृत्तौ निमित्तस्। सूतकादिस्वरूपानिष्पत्तिरेकोशस्तज्ज्ञानं चापरः। तदुभयमिलितं निमित्तस्।
एवं च निमित्तैकदेशस्य प्रसवादेभीक्त्रा ज्ञातत्वादेकविभावितन्त्यायेनान्यस्यापि संभाव्यमान-

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केवलभोक्तर्ज्ञानेऽपि भोजनिवृत्तिः । यदा तु दात्रा ज्ञानं न भोक्त्रा तदा भोक्तरेव च नादोषो न दातुर्भोजनिनिमत्तो दोषयितुः सूतकान्नभोजयितृत्वदोषोऽस्त्येव । अयं च भोजयितृत्विनिमत्तो दोषः सूतके मृतके विहितप्रथमादिदिननवश्राद्धदिनभिन्नकाले ज्ञेयः । तत्काले विहितत्वात् । तथा च बाह्ये

"अपि दातृगृहीत्रोश्च सूतके भृतके तथा । अविज्ञाने न दोषः स्याच्छ्राद्धादिषु कदाचन ॥" • "क्जिने भोकुरेव स्यात्प्रायश्चित्तादिकं कमात्" इति । आदिना अशौचं । प्रायश्चित्तं चाग्रे स्फुटीभविष्यति ।

एवं च तत्र भोकृग्रहणं तन्मात्रेण ज्ञातेऽपि तस्य दोषप्रतिपादनार्थम् । न तु दातृमात्रेण ज्ञाते तस्य दाननिषेधातिकमनिमित्तदोषनिवृत्त्यर्थमपि अर्थद्वयकरणे वाक्यभेदापत्तेः । एवं च ब्राह्ममपि ''भोकुः स्यादेवेति" व्याख्येयम् ।

पृ. १७२ पे. ८. विशेषांतरमाह । तथेति । कृतमिति । आशौचसंभावनयेति भावः । अन्नं सिद्धान्नमनुज्ञातभिन्नमपि चान्नं । मृतेति समाहारद्वंद्वः । एवमग्रेऽपि ।

सिद्धान्त्रभोजनविषये विशेषान्तरमाह। तथाऽपरोऽपीति। अत्र भुंजानेष्विति विवाहादिष्य-ष्यपृथकृतान्त्रभोजने अन्यत्र च ब्राह्मणभोजने बोध्यम्। अवशिष्टं चान्नं त्याज्यम्।

"भोजनार्धे तु संभुक्ते विप्रैर्दातुर्विपद्यते । यदि कश्चित्तदोच्छिष्टं शेषं त्यक्त्वा समाहिताः ॥ १५ "प्राचम्य परकीयेन जलेन शुचयो द्विजाः ।" इति ब्राह्मात् । श्राद्धे तूक्तं ।

कृ. १७२ वं. १२. अथ द्रव्यत आशोचापवादरूपविशेषमाह। तथेति । तस्वामिकत्वेऽपीत्यर्थः । कोषाभावः तस्वामित्वहेतुकप्रतिमाह्यत्वायोग्यत्वरूपाशोचाभावः । द्रव्येषु चाशोचमाशोचि-स्वामिकत्वकृतोऽप्रतिमाह्यत्वादिप्रयोजकोऽतिशयविशेषश्चेतनाशीचवत् । अन्येष्वप्योपाधिकाशुचिषु एवमेवेति केचित् । वस्तुतस्तु तस्वामिकत्वकृतं प्रतिमहाद्ययोग्यत्वमेव द्वव्येष्वाशोचं कृष्णाजिनादि- २० वत् । न त्वतिविशेषो मानाभावात् । चेतनेषु तु

"दानं प्रतिग्रहो होमः स्वाध्यायः पितृकर्म च । प्रेतपिंडिक्रियावर्जमाशौचे विनिवर्त्तते ॥"

इति दानायधिकारे आशौचस्य हेतुत्वोक्तेः । कर्माधिकाररूपब्राह्मण्यादिवन्न दानायनधिकार आशौचं । किंतु तत्तद्भेतुभूतो जननादिजन्योऽतिशयविशेषः स्वीक्रियते । ब्राह्मण्यादिजातिवत् । अन्यथा हेतुहेतुमद्भावानुपपत्तेः । उदकदानायधिकमस्याप्याशौचत्वापत्तेश्च ।

ननु द्रव्येषु तथा किंचिदित तदेव तेषु तत् द्रव्यविशेषगतमेवाशौचिस्वामिकत्वं तत्र हेतुर्ने तु द्रव्यमात्र-गामीति शास्त्रीकसमधिगम्यत्वाद्यथाशास्त्रं अतिशयविशेषवादिनाऽपि चेदं वाच्यमेव। तत्र तस्य प्रयो-जकत्वस्वीकारात्। यत्तु प्राच्याः अशुचिना विनियोजितान्यमनधिकारिविनियोजितत्वात्मलाजनकत्व-मेव द्रव्येष्वाचंस्वतस्तु गतानि शुचीन्येव अन्यथैकतरेण भ्रात्रा जननादौ ज्ञाते तस्याशौचित्वा-सत्स्वामिकत्वेन तत्द्रव्याणामपि अतिशयविशेषरूपे कर्मानर्हत्वरूपे वाऽशुचित्वे सति तैरेव द्रव्येरज्ञात- ३ • हत्वनाशौचिभ्रात्रंतरेण कृतं कर्माशुचिद्रव्यकृतत्वाद्वा स्यात् न स्याच ततः क्रीतद्वव्येणान्येषां कर्मसिद्धिः। क्रयस्याशौचापनायकत्वे मानाभावात् । शुचीनामेव तु तेषामनधिकारिविनियोजिनतत्वेन फलानर्थकत्वे शुचिना भात्रंतरेण केत्रा च विनियुज्यमाने फलासिद्धिर्यंकेत्याहुस्तम् ।

तथा सति ततः क्रय इब प्रतिग्रहेऽपि दोषाभावापत्तेः । क्रीतैरिव प्रतिग्रहीतैरपि कर्मसिन्द्रन्गापत्तेश्च । अनिधकारित्वेनाशौचिना विनियुक्तानां फलाजनकत्वेऽपि प्रतिग्रहीतृविनियुक्तानां तस्या-प्रमाणकत्वात् ।

न चानधिकारिक्कतत्वेनाशौचिकर्तृकदानस्य फलाजनकृत्वात्ततः प्रतिगृहीते स्वत्वमेव ५ नास्तीति वाच्यम् । शास्त्रीयफलाभावेऽपि स्वत्वस्य लौकिकत्वेन तद्नुत्पत्तौ मानाभावात्स्वस्य लौकिकत्वं लिप्सासूत्रे मतद्वयेऽपि उक्तमिति प्राक् प्रपंचितं व्याख्यात्रा ध्यत्त्वेकतरेणेत्यादि' । तन्न । भात्रंतरेण परिग्रहसंपादितासाधारणस्वत्वे द्व्ये अशुचिभ्रात्रंतरस्वत्वाभावेन तत्राशुचित्वाभावा-स्साधारणस्वत्वाधिकरणस्य यथेष्टविनियोगानर्हत्वेन कर्मानुष्ठानार्थं तस्यावश्यकत्वात् । यच्च क्यस्येत्यादि तद्पि न स्वत्वापनयनद्वारेव । तस्य द्वव्याशुद्धचपनायकत्ववदिति दिक् ।

मधु क्षौदं । समाहारद्वंदः । एवमग्रेऽपि । पयः क्षीरम् । तिलग्रहणं तेलस्याप्युपलक्षणम् । पण्येष्विति । तत्र तत्स्वामिनो वाणिजादेराशौचेऽपि अप्रतिग्राह्मत्ववदक्रेयत्वं नास्ति तद्वस्तु- कियकरणेऽपि न दोष इत्यर्थः । भक्ष्यजातं तत्समूहः शब्कुलीलडुकादि । एवेनाशौचिहस्त- मात्रनिरासः । तथा च स्वयमित्युपलक्षणम् । आशौचिहस्तान्न ग्राह्ममित्येतावन्मात्रं विवक्षितम् । १५ तथा तद्मुज्ञयाऽपरहस्तादपि ग्राह्मम् ।

इ. १७२ वं. १७. पूर्वीकाऽविरोधायाह । पक्कापक्काभ्येति । तत्वित्यर्थः । अनन्यभावे विषयशब्दः । तत एव तहाहां नान्यस्मादित्यर्थः । पयःपिबेदिति । "वतीभवदिति"पाठान्तरम् ।

मरीच्यिवरोधायाह । अस्ति । पक्षशब्दः पक्षान्नशब्दः । आमान्नग्रहणं च भक्षस्याप्युपतक्षणम् । पूर्वेकवाक्यत्वात् । योगविभागकरणाच्च । न पण्येषु स्वयंग्रहिनयमः । मृतसूतकग्रहणं

क्ष्मणम् । पूर्वेकवाक्यत्वात् । योगविभागकरणाच्च । न पण्येषु स्वयंग्रहिनयमः । मृतसूतकग्रहणं

क्ष्मणम् । पृर्वेकवाक्यत्वाद्येष्ठक्षणम् । अशौचं यस्येत्यस्याशौचाभावमात्रप्रतिपादकेनाऽऽशौचिस्पष्टोपादानिषेधवाधे मानाभावात् । पण्याशौचिनिषेधे तु कृत्रिमोपलक्षणम् । आशौचं

यस्येत्यस्य पण्येष्विप प्रवृत्तेर्लवणशासादिनियमार्थं तु मृतकसूतकग्रहणम् । शाकादिष्वेवाशौचप्रतिषेधश्चानापाद्यनिमित्तकाशौचविषयः । कृत्रिमे तु तदन्यत्राप्याशौचाभावः । अशौचं यस्येत्यादिवाक्यात् । तदाह । शवसंसर्गेति । तत्संस्पर्शेत्यर्थः । केवलं अस्पृशत्वलक्षणमात्रम् ।

अनेन तृतीयपादार्थो दर्शितप्राय इति केचित् । वस्तुतस्तु तत्र क्रिया वैतानोपासनाद्या इति

बोध्यम् । एवं च केवलपदं तदन्याशौचिनरासपर्यमिति भावः । चशब्दस्वारस्यादाह । तद्वव्याणां

चेति । तथा च कृत्रिमाशौचेऽप्याशौचिहस्तात्सर्वाण्यपि द्वव्याणि न ग्राह्याणीति बोध्यम् ।

अतिकांताशौचेऽप्येवमेत्याह । अतीति । सूतकमिति उपलक्षणं मृतकस्यापि । तत्त-द्भव्यस्येति भार्यादेरपि । अत एव द्वयोरेकवाक्यता। अत एव च तत्र च इति भावः । ब्राह्मेऽपि

"लवणं मधु मांसं च पुष्पं मूलफलानि च। काष्ठं लोष्ठं तथा पर्णे दिघ क्षीरं घृतं तथा ॥ "औषधं तैलमिजनं शुष्कमन्नं च नित्यशः। आशौचिनां गृहात् ग्राह्यं स्वयं पण्यं च मूलजम्"॥ इति । मूलजमाकरजं। एवं चान्नसित्रणामोदनादि। अन्येषां तु भक्ष्यतं डुलायण्यभ्यनुज्ञातं भिन्नं सर्वं ग्राह्यमेवानाशौचिनेति दिक् ॥ १७॥

याज्ञवल्कीये १८ श्लोकः।

समुदितसंगितिगाह । **एवमिति ।** आदित इत्यंतेनेत्यर्थः । निमित्तमित्यादिजातावेक-वचनं । तस्येद्मित्यण् । फिलितगाह । जननेति । तत्राद्यमाह । एवमिति । योगिनेत्यर्थः । निमित्तमिति । प्रत्येकमिति भावः । कालनियमस्तु स्पष्ट एव आद्य-पादेनेति पुनर्नोक्तः । उत्पंत्रं इपतमिति । अनेन प्रमितम (प?) दस्य निमित्ततोक्ता मरणादि- भ ज्ञानमात्रं तु.न निमित्तं । अनागतज्ञानस्यापि निमित्तत्वापत्तेः । नन्वेवमिप स्वरूपसत एव तस्य निमित्तत्वमस्त्वतः आह । निर्दशमिति । मनुरयमाग्रेमश्चद्शभ्यो निष्कांतमित्यर्थः । इदं चाति-क्रांतशौचिविषयं न प्रकृतविषयमित्यत आह । लिंगिति । श्रवणस्य तत्रोपादानात् । तथा च तदेकवाक्यत्या अत्रापि तथा । अन्यथा वैरूपापत्तेरिति भावः । नन्वत्र शास्त्रे पावद्वचनं वाचिनकमिति" सिद्धांताद्युक्तिविष्टंगस्याप्यप्रयोजकत्वात्कथं तथेत्यत आह । तथा विगतमिति । १० मानविमिदम् । आदिना (५।०४)

"अंतर्दशाहे स्यातां चेत्पुर्नमरणजन्मनी। तावत्स्यादशुचिर्विप्रो यावत्तत्स्यादनिर्दशम्॥" इति मानवादिशरिग्रहः। सामर्थ्यमेवाहोत्पत्तीति। मात्रपदेन ज्ञाननिरासः। हि यतः। चस्त्वर्थे। व्युत्कमे उक्तमुपसंहरति। एवोत्पत्तिमात्रनिरासः। ज्ञानं च निश्चयात्मकमित्युक्तमेव। अथ वाक्यार्थमाह। तब्बोभयंति। बहुवीहिः। जननमरणनिमित्तकमपीत्यर्थः। योग्यतया आह। १५

भि पू. १८३. मन्वादीति । वैरूप्यादिनिरासायाह । अत्राशौचेति । विकल्पो नैच्छिकः । किंतु व्यवस्थितस्तत्सूचनादर्थमेवेष्यत इत्यत इत्युक्तमित्याह । मन्वादिभिरिति । तदुक्तेति । मन्वायुक्तत्यर्थः । विधायते इति । मानवादये (५।५९-६०)

"अर्वाक् संचयनादस्थनां ज्यहमेकाहमेव वा । सिपंडता तुः पुरुषे सप्तमे विनिवर्तते ॥
"समानोदकभावस्तु जन्मनाम्नारेवदने। यथेदं शावमाशौचं सिपंडेषु विधीयते॥"इति पाठस्तद्- २०
प्रिममाह । जननंऽप्येविमाति । एवं दशाहांशे उक्त्वा त्रिरात्रांशे तदेवाह । जन्मनीति। इतः पूर्वतनं बहुव्यवहितं। तदेवाह । शवेति । अत्र पूर्वपादो "अह्ना चकैन राज्या च त्रिरात्रेरेव च त्रिभिशिति" पूर्वणान्वेति । तदेतत् ध्वनयन्नेवाह । तैर्वाक्यौरिति । उक्तक्रमेणाह । समानोदकेति । कृता मन्वादिभिः । त्रिरात्रमितीति । इदमापि वक्ष्यमाणसद्यःशौचेन व्यवस्थया
कल्पितं द्रष्टव्यम् ।

विरोधं परिहरति । यन्युनरिति । पुंसीत्यस्य सर्वत्र संबंधः । विजीक्षत्व यत्र न निषि-द्वत्वं निषेधानुपळंभात्रत्युतोक्तविधेरेवोपळंभात्कितु तद्वद्वासमानत्वं विवक्षितमित्याह । यद्यप्यविति । उक्ते स्मृत्याविधेरेव सत्वात् ठोकविद्विष्टमेवाह । न चेति । न हीत्यर्थः । एवं पूर्वीर्द्धेन । अविशेषेणेति । वयोवस्थाकृतविशेषाभावेनास्पृश्यत्वकर्मानधिकारळक्षणाशौचिविशेषाभावेनेत्यर्थः । शाविमत्युक्तेः ।

स्मृत्यंतराचाह । संस्थित इति। नियमलन्धमाह । वेति । तद्यवछेयमाह । न सर्वेषा-मिति । नन्वेवं तेषां तद्भावापत्तिरत आह । तेषां त्विति । उभयो ीतापित्रोः । चेन तयोः समुचयः । अनेन पित्रोर्जननोत्तरमेव सोदराणां नामकरणोत्तरमेवाशौचमिति सूचितम् ।

नन्वत्र पक्षे जन्माशौचकालमध्ये सद्यःशौचप्रतिपादकैस्तदुःर्वे च त्रिरात्रादिप्रतिपादकै-

आशौच-याज्ञवल्कीये

र्मन्वादिभिविरोध ऊनदिवर्ष इत्यस्यानर्थक्यं च पूर्णदिवर्षादौ तावदाशौचस्य मुतरां सत्त्वाद्त आह । अथवेति । नियमस्वत्रापीत्याह । वेति । विशेषोऽत्र द्वितीयाय इत्याह । अस्पृश्यत्वेति । स्मृत्यंतरेण कर्मानिधकारलक्षणाशौचस्य निषेद्धमशक्यत्वादाह । अस्पृश्यत्वेति । मूलसाकांक्ष-माह । इतरेति । तदन्याशौचस्य तद्र्पस्य त्वित्यर्थः । सिपंडेषु तदन्येषु । अपिना तयोः समुचयः । एवं च पित्रन्यसिपंडानां तु न द्व्यद्वोपरमेऽनुगमननियमवन्नास्त्यस्पृश्यता किंतु पूर्वद्वि-वर्षोपरमेन एव प्रतिपादितावधिके सित तात्पर्यम् ।

निपातानामनेकार्थत्वेन यथार्थत्वात् । दृष्टांततयाऽत्र पक्षे चरमपादः सुयोजः । न तु प्रथमपक्षे इतीदमेव योगिसंमतिमिति हृदि निधायाह । अत्र हृष्टान्त इति । तदेवाह । यथेति । धात्वर्थानुसारादाह । जननेति । केवलमित्यनेन कर्मानिधकारलक्षणव्यवच्छेदः । एवं शब्दार्थमुक्तवा १० न्यूनतानिरासाय तात्पर्यार्थमाह । जनद्वीति । स्तिषंडेति । पित्रन्यसिंपण्डेत्यर्थः । प्रतीति । आर्थिकप्रतिषेधं कुर्वता योगिनेत्यर्थः । अन्यत्र पूर्णद्विवर्षादौ । तत्र मानमप्याह । तथा चेति । स्वाशौचस्य त्रिरात्रादिकपतत्परिच्छेदककालस्यावयवभूताचृतीयभागक्षपात्कालादनंतरं शूद्रादीनां शास्त्रविहितमनतिकम्य स्पर्शनं विज्ञेयमित्यर्थः ।

नेदं संपूर्णाशौचविषयं। तत्र तेनैव विशेषाभिधानस्यानुपद्मेव वश्यमाणत्वात् न च तस्य १५ सर्वसाधारण्याच्छ्रदादीनां स्वाशौचकालादित्यसंगतामिति वाच्यम् । यत्र त्रिरात्रं विप्राणामाशौचं संप्रदृश्यते तत्र शूदे द्वादशाहः । य एव न क्षत्रवैश्ययोरित्यादिवचनैरसंपूर्णाशौचस्यापि क्रिष्रयस्यो-क्तत्वात्महासमृतिविरोधादननुष्ठानमात्रं तस्येत्यन्यदेतत्तदाह । एतच्चेति । विनि(यो)गमकाभावा-दाह । अतीति । आदिना पक्षिण्यादिपरिग्रहः । इदमेव द्रढयितुमाह । उपेति । तन्मरण-विषयेऽपीत्यर्थः । तेनेव । देवलेनैव । तत्वदर्शिनाः वर्णादीनां विप्रादीनां । क्रमादशाहादि-२० कालतृतीयभागेन गतेन । तत्र संचयने कृते सत्यंत्रस्पर्शनमिच्छंति।स्वयमेवोक्तं व्याचष्टे। त्रिचतु-रिति । अत्र किंचिद्धिकैस्त्रिमिरिति बोध्यम् । एतैर्भागैरविश्विरित्यर्थः । आशौचकालमाह । भोज्येति । दशभिर्गतैर्दिवसैरिति शेषः । उत्तरैरिति । वीष्सागर्भमित्याह । षडुत्तरैरिति । द्वादशमिरित्यर्थः । इयुत्तरैरिति । पंचदशमिरित्यर्थः । षडुत्तरैरिति एकविंशत्येत्यर्थः । न च शूद्रे त्रिंशद्दिनाशौचस्य वश्यमाणत्वात्तद्विरुद्धमिति वाच्यम् । तथाऽपि ''शूद्रो विंशतिरात्रेण २५ शुध्यते मृतसूतके" इति वश्यमाणशातातपानुरोधित्वात् । तथा चात्र प्राप्तेस्तथा दिनैरित्यर्थः । शेषपूर्णस्याकांक्षाधीनत्वात्तस्याश्चेष्टानुरोधित्वात् । एतेन षडुत्तरैः पंचिदशभिरिति व्याख्येयमिति विवेचनोक्तमपास्तम् । उक्तरीत्यासामंजस्यात् । तथा व्याख्याने मुलैकवाक्यतायामपि प्रक्रमादि-स्वारस्येनाष्टादशाधिकैः पंचदशभिरित्यस्यैव लाभेन तथोक्तेरसंभवेनातिप्रसंगेन तत्रैव नियामका-भावेन चायुक्तत्वाचेति दिक् । परं त्विदं कलौ निषिद्धम् । "अस्थिसंचयनादृर्ध्वमंगस्पर्शनं तथेति" तद्वर्ज्यं माधवीये पाठादिति बोध्यम् ॥ १८ ॥

इदमेव योगिसंमतमिति पुनराह । जननेति ।

याज्ञवल्कीये १९ श्लोकः ।

प्राग्वदाह । जननेति । सर्वे वाक्यं साधारणामिति न्यायेनाह । एवेति । अत एवाह ।

नेति । तन्त्रेति । तन्त्रित्यर्थः । ध्रुवत्वं यथाशास्त्रमित्याह । दशेति । उपलक्षणमिद्म । पक्षांतराभिमि ए. १७४ प्रायं वा । पुत्रावसुजोऽसंभवादाह । तस्याः सम्बंधि इति । वसिष्ठ इति ।
अंगिरा अप्येवम् । तुशब्दसूचितमाह । पितुस्त्वित । तत्र हेतुमाह । स्नानेति । यत
इत्यादिः । ननु तत्र स्नानस्याऽविहितत्वात्कथं तथा आह । यथाहेति । अत्र पुत्रग्रहसुपलक्षणम् । सामान्यविषयोत्तरार्धसमाभिन्याहारात् ।

"सूतके तु मुखं दृष्ट्वा जातस्य जनेकस्ततः । कृत्वा सचैलस्नानं तु शुद्धो भवित तत्क्षणात्॥" इति
तादृशब्वाद्धात् । पित्रोस्तिवित तादृशमूलाञ्च । उक्तवासिष्ठं तु मिथुनीभावात्मकसंसर्गामावे
स्नानोत्तरमस्पृश्यता नास्ति । तत्सत्वे तु तदुत्तरमपि सेत्येतदर्थकम् । एतेन तत्र पुत्रग्रहणं विविक्षितं
मत्वा पुत्रसूतके संसर्गेऽस्पृश्यतानापत्तिमनालोच्य वास्तिष्ठं कन्यासूतकपरम् । स्नात्वा कन्यासूतके
स्नानात्पूर्वमपि पितुर्नास्पृश्यत्वामिति मित्रायुक्तमपास्तम् । विशेषमाह । मातेति । चस्त्वर्थे । १०
स्तिकामिति । अतिकान्तेनेति शेषः । उभयत्र विशितिरात्रादिकं च दशाहोत्तरं बोध्यम् ।
तेन न स्मृत्यंतरिवरोधः । मनुरिप (५।६२)

"सर्वेषां शावमाशौरं मातापित्रोस्तु सूतकम्। सूतकं मातुरेव स्यादुपस्पृश्य पिता शुचिः॥" इति । अत्राशौर्चे नष्टे निर्हेतुकर्मानधिकारासंभवादाशौर्चमेव तावत्पर्यन्तमिति केचित् । आशौर्चे गतेऽपि वचनात्पतितादिवत्कर्मानधिकार इत्यन्ये । वस्तुतस्तु द्विविधाशौर्चस्य सत्वेनैकशक्तिनाशे- १५ ऽप्यन्यशक्तेरनाश इति बोध्यम् । मूळतात्पर्यं स्पष्टयति । अंगीति । वर्ज्यमिति । णमुळंतम् ।

उत्तरार्धार्थमाह । यरिमान्निति । न प्रत्यस्य दुष्टं न भवेदित्यर्थस्तद्र्थमाह । तन्निमिन्नेति । तत्र हेतुः पूर्वेषामिति । जन्मत्यस्य जन्मरूपहेतोरित्यर्थः । तदाह । यस्मादिति । "आत्मा हि जज्ञे आत्मन"इत्यादिश्चत्याचनुरोधेनाह । पुत्रेति । इद्गं च नाठछेदात्पूर्व "प्राङ्गादिछेदा-त्संस्कारपुण्यार्थान् कुर्वति नाड्यां छिन्नायामशौचिमिति" हारीतात् न केवछं ग्रहणादिवहाने २० एवाधिकारः किन्तु प्रतिग्रहेऽपि न दोष इति स्वयन्नाह । तथा चेति । भूगवादीनां दृद्धं कृत्वा हिरण्येन दृद्धं कृत्वाऽऽदिना बहुवीहिः कार्यः । विषयसप्तमीयम् । आनंत्यादुपसंहरन्नाह । तत्रेति । तहिने इत्यर्थः । कृतान्नं सिद्धान्नम् । इदमपि नाळि(डि?)छेदात्पूर्वमेव "कुमारप्रसवेनाङ्यामविच्छिन्नायां गुड-तेळ-हिरण्यवस्त्र-प्रावरण-गो-धान्य-प्रतिग्रहेऽदोष" इति शंखात् । जन्मवानामदेवता इत्येकं पदं । यागः पूजा । कियाविशेषणिमदम् । एतेषु त्रिषु प्रवेदा एव सर्वथैवेत्याद्यर्थः । तथा २५ प्रथमराज्यादिवत् । तत्र रात्रौ । तस्यां रात्रौ । अत्र जातश्वाश्राद्धादिप । तथा च ब्राह्मे

- ''दे्घाश्च पितरश्चैव पुत्रे जाते द्विजन्मैनाम् । आयांति तस्मात्तद्हः पुण्यं षष्ठं च सर्वदा ॥ ''तत्र द्यात्सुवर्णं च भूमिं गांतुरगं रथम् । छत्रं छागं च माल्यं च शयनं चासनं गृहम् ॥ ''जातश्राद्धे च न द्देत्पकानं ब्राह्मणेष्वपि ।" इति ॥ १९ ॥

आशौचमध्ये । द्विविधाऽऽशौचमध्ये ।

याज्ञवल्कीये २० श्लोकः।

पूर्वार्धः ।

जन्मेति । समाहारद्वंदः । शेषाहोभिरित्यत्र समासांतविधरनित्वान्नटच् । विनिगमका-

भावादाह । वयोवस्थेति । सामान्योक्तमपि अविरोधाय विशेषं वक्तुं विशेषपरतया ब्याचष्टे। तत्समस्येति। तात्पर्यार्थमाह । न पुनरिति । मनुरपि (৭।७८)

"अंतर्दशाहे स्यातां चेत्पुनर्मरणजन्मनी । तावत्स्यादशुचिर्विषे यावत्तत्स्यादनिर्दशनम्॥" इति ।

प तमेव विशेषमाह । यदा पुनरिति । यदा त्वित्यर्थः । स्वरूपेति । अनेन पूर्वप्रवृत्तशाव-मात्रेण तदंतःपातिस्तिशावमात्रयोः पूर्वप्रवृत्तस्तिमात्रेण च तदंतःपातिस्त्याशौचमात्रस्य निवृत्तौ प्राप्तायां छघुनाऽधिकस्य तिन्नषेधः क्रियते । उभयत्र तत्प्राप्त्यविशेषात् । तथा च त्रिरात्रादि-शावांतःपातिदशाहादिस्त्याशौचस्य न पूर्वेण निवृत्तिः । किंतु स्वकालं यावदनुवर्तमानस्यैव तस्यास्पृश्यत्वादिस्वधर्मप्रयोजकत्वमात्रेण गरीयसा शावेन स्वधर्मप्रयोजकिनवृत्तिमात्रम् । अंगिरो-१० वाक्यात् । युक्तं चैतत्

> "सूतकाद्दिगुणं शावं शावाद द्विगुणमार्तवम् । आर्तवात् द्विगुणं सूतिस्ततोऽपि शवदाहकः॥" इति वृद्धात्रः ।

अत्र पूर्वपूर्वेण नोत्तरोत्तरनिवृत्तिरस्पृश्यत्वाधिक्यात् । तदेतद्भिष्रत्य विशेषांतरमाह । अत्र चांतरेति । मूलस्मृतावित्यर्थः । अथशब्दः पक्षांतरे । तथा चोक्तसामान्यमप्रि विशेषपरमित्युप-१५ संहरति । तस्मादिति । एतेन

"आयानां यौगपये तु ज्ञेया शुद्धिर्गरीयसी । मरणोत्पत्तियोगे तु गरीयो मरणं भवेदिति ॥"
कोमें । पूर्वार्धापवादत्वमुत्तरार्धस्योति रुधुनाऽपि शावेन दीर्धसूतेरपि स्वरूपनिवृत्तिरूपो बोध
इति रुद्धधरोक्तमपास्तम् । सत्यप्यपवृादत्वे तस्यौशनसाऽविरोधाय स्वधर्मप्रयोजकत्वमात्ररूपगरीयस्त्वप्रतिपादकत्वात् । वस्तुतस्तु सर्वविधगरीयस्त्वबोधकत्वेऽपि तस्य न तदपवादत्वं किंतु
तद्विरोधे न समाधिककारुशावगरीयस्त्वबोधकत्वेभैवितिबोध्यम् । विशेषान्तरमाह । तथिति ।

मि. १. १७५ स्मृत्यंतरे शंखीये पिता। अ इतिछेदः । स च निषेधार्थः । उत्तरान्वयी। शेषेण शुद्धितित्यस्याऽऽवृत्तिः । तदेतद्भिष्रेत्यार्थद्वयमाह। तदा नेति। द्वितीये शेषेणेत्यस्य शिष्यमाणेन किषियमानेनेत्यर्थादाह । नाशोचिति । तुस्चितवैलक्षण्यात्तुर्यपादार्थमन्यथा आह । तथिति । मात्रपदेन किंचिच्छुद्धिरस्त्येवेति सूचितम् । अयमेव पूर्वतो विशेषः । क्षिपेत्। अतिकामेत् । कुर्या-२५ दिति यावत् । एवं च मात्राशौचेनापि न पित्राऽचौचस्य निवृत्तिः किमुतान्येन । तथा पित्रा-शौचेनापि केवलेन मात्राशौचस्य न निवृत्तिः। किमुतान्येन केवलेनान्यसहितेन वेति । बोध्यम् ।

एवं पर्यवसितपूर्वशेषकृतशुद्धेरनितप्रसंगाय विशेषांतरमाह । तथेति । आशौचयोः संनि-पातो यत्र तादृशकालविशेषे इत्यर्थः । अत्र रात्रिशब्दोऽहोत्रपरः । प्राग्वत् । एवमग्रेऽपि । तद्रूपशेषे इत्यर्थः । "अय यदि दशरात्रात्संनिपतेयुरायं दशरात्रमाशौचमा नवमदिवसादिति" बौधायनात् ३० (अ. सू. १।५।१०४) । तदेतदिभिन्नेत्याह । रात्रिमात्रोति । मात्रपदेन तत्पूर्वतनन्यावृत्तिः । बहुनीहिरयम् । यद्यपि सूर्योदयात्प्राचीनः प्राचिष्रकाशकालः प्रभातपद्वाच्यस्तथापि वक्ष्यमाणानु-रोधेन तत्सामीप्याञ्ठक्षणेत्याह । पश्चिमे यामे इति । तद्र्थमेवाह । शातातपेनेति । एवमस्या गतिसंभवेऽनाकरस्थमिद्मिति मिश्चोक्तमयुक्तमिति बोध्यम् । इयं च सानिपाते पवशेषेण शुद्धः सूतिकाग्निदसपिंडानाम् । तयोस्तु निमित्तादारभ्य पूर्णमेव अनधिकारास्पृङ्यत्वोभयलक्षणमा-शोचम् । तथा च षडशीत्याम्

''पूर्वाशोंचेतु या शुद्धिः सूतके मृतके चसा। सूतिकामग्निदं हित्वा प्रेतस्य च सुतानिपे"॥इति। विशेषांतरमाह । प्रेतेति । तेनेव शातातपेनेव । तथेव पूर्विपिंडवत् । अत्र जननग्रहणं मरणस्याप्युपलक्षणमित्याह । तथेति । प्राग्वदाह । तथेति । आशोचे ५

(उत्तरार्द्धः)

सूतिनिमित्ते मृतिनिमित्ते वा । व्यवहितसंगतिमाह । पूर्णिति । बहुवीहिः । एवमग्रेऽपि । जहद्रजहस्रक्षणामाह । द्रवाद्रवेति । शक्तिसंभवे रुक्षणा न युक्तेति शंकते । कृत इति मुख्यार्थ-बाधमाह । द्रवत्वेति । एवं पदार्थमुक्त्वा वाक्यार्थमाह । गर्भस्येति । निशाशब्द आहोरात्रपरः । एवमग्रेऽपि ।

विशेषमाह । एतच्चेति । एवः स्पष्टार्थः । विरोधं पाक्षिकं परिहराति । यत्युनरिति । गर्भस्रावसमा रात्रीः । "संस्रवे गर्भस्योति" (अ. ५ सू. १५) तदादिः । अर्वोक् मासत्रयमध्ये अचिरेत्यस्य निकटवर्तिगर्भस्रावेत्यर्थः । तात्पर्यावसितमाह । मासेति । उत्तमे इत्यस्य वर्णे इत्यर्थः । तत्फलितमाह । ब्राह्मणेति । अयं भावः ।

"षण्मासाभ्यन्तरे यावद्गर्भस्रावो भवेखदा । तदा माससमैस्तासां दिवसैः शुद्धिरिष्यते ॥" इति १५ विहितेस्य माससमदिवसाशौचस्य तदंतःपातिस्राविषयेण निरवकाशेन स्रावे मातुस्त्रिरात्रमिति वश्यमाणमरीच्युक्तेन त्रिरात्राशौचेन बाधायाप पातविषयत्वमवशिष्यते मूलादेस्तथापि "दिवसै- निर्शा" इति बहुवचनानुरोधित्रिरात्राशौचस्यैवाद्यमासत्रयिष्यत्वं युक्तम् । न चाद्यमासमात्रं द्वितीय- मात्रं तत् । द्वयमेव वा तस्य विषयो युक्तः । आद्ये त्रिरात्रम् । द्वितीये द्विरात्रमित्यनौचित्येनाद्य- पक्षासंभवात् । अचिरशब्दस्य लिंगसमवायंगौणस्रावशब्दस्य चानुरोधेनाद्यविषयत्वावश्यंभावेन २० द्वितीयासंभवात् । तृतीयविषयत्वे विरोधाभावेन तत्परिहारहेत्वभावेन तृतीयानुपपक्तेः । गौतमोक्त- पक्षद्वयस्योक्तवचनात् षण्मासविषयत्वव्यवस्थासंभवे व्यवस्थायोगेन तद्पेक्षायामिवरशब्दौचित्य न्यायानुगृहीतेन समं स्यादिति न्यायेनांत्यमासत्रयविषयत्वेन व्यवस्थायुक्तत्वाचेति बहु- वचनानुपपत्तेरिति वदता व्याख्यात्रा सूचितमिदं सर्वमिति बोध्यम् ।

तदेतदभिष्रेत्याह िष्पतचिति । मूलोक्तं चेत्यर्थः । तथा च चतुर्थे चत्वारि पंचमे पंच षष्ठे २५ षाडिति फलितं । नन्वेवममे किमत आह । सप्तेति । तत्र स्नावपातशब्दयोरेवाभावादिति भावः । न तु तत्र तदप्रयोगेण तदविषयत्वेऽपि "अत ऊर्ध्व प्रस्तिः स्यादिति" वाक्यात् तत्प्रयोगेऽपि च पूर्णाशौचे किं मानमत आह । षणमासेति । अत ऊर्ध्व । षण्मासादनंतरम् ।

सद्यःशौचिमत्यत्र प्रसंगाद्विशेषमाह । पतचिति । तथा च पतनपदेन प्राग्वत् स्नावो विविक्षित इति भावः । सद्यःशौचिमत्यस्य स्नानमात्राच्छुद्धिरित्यर्थः । अशुचित्वाभावे शौच-३० विध्यनुपपत्तेर्निष्कारणशौचासंभवाच । अत एव विरोधं परिहरति । अत्र पतनशब्देन स एव मि. ए. १७६ विविक्षित इति भावः । उभयत्र मानमुचितमेवाह । आचतुर्थादिति । आङ-भिविधौ स्नावे आद्यमासत्रये सिपेढेति बहुनीहिकियाविशेषणं च प्रकृतित्रिरात्राशौचं नेति तदर्थः ।

आशीच-- याज्ञवल्कीये

नन् सर्वथाशौचिनिबंधकं सद्यःशौचिमित्यनेन विरोधापत्तेः । एवं स्नानमात्रमेव पुरुषस्येति वासिष्ठमिप मात्राऽशौचिविधायकं सत् तत्प्राप्तमेव पितुः स्नानमनुवद्ति । न त्वन्येषां तिभवर्तयित वाक्यमेदापत्तेः । यद्यपि तद्वाक्यपर्यालोचनया स्नानमाससमाशौचयोरेकविषयत्वं प्रतीयते तथापि वाक्यांतरबलाद्भिन्नविषयत्वं कल्पमानमदोषावहिमिति भावः । पाते चतुर्थादित्रये पूर्व- भ स्मृतौ तासामित्युपलक्षणम् । प्रस्वे सिपंडानां दशाहं शाविमिति ।

"यथेदं शावमाशौचं सिपंडेषु विधीयते। जननेऽध्येवमेव स्यान्निपुणां शुद्धिमिच्छताम्॥" इति । च मनुना दशाहाशौचस्योक्तत्वात् । तदेतत् ध्वनयन्सिपंडेषु अग्रे सिवशेषमा सप्तेति यरीति दशा-हादीत्यर्थः । ननु शावाशौचेन निवृत्तिरुपयुक्तेरिति भावः । जातमृते इति नाठछेदोत्तरं

"यावन छियते नालं तावन्नाप्तोति सूतकम् । छिन्ने नालं ततः पश्चात्सूतकं तु विधीयते ॥" इति जैमिनीत्युक्तेः। अस्यैतत्प्रकरणपाठान्मृतपूर्णशब्दावध्यार्हस्य योजना कार्या । अंतरिति । दशाहमध्ये इत्यर्थः । छेदमाह । उत्थानादिति । उदकदानराहित्वेव च अर्हार्थे वैतिः । सूत-कार्हे प्रसवनिमित्तं पूर्वान्वयि तत्फलितमाह । शिश्यपेति । 'सूत्ये'त्यस्य यत इत्यादिः । इदं च पूर्णाशौचनिषेधकं तेन न वक्ष्यमाणः सद्यःशौचेन विरोधः ।

उपसंहरति । एवमादीति । अविरोधायाह । यत्पुनरिति । शुद्धीति । निवृत्तीत्यर्थः । १५ विपत्तिर्नाशः । संबंधिनोऽधिकरणविवक्षया विरोधपरिहारा बोध्याः । सिद्धस्य गतिश्चितनीयेति न्यायेनाह । तदा सूचकमिति । अत्र व्याख्याने पौनरुकतादाह । अथवायमिति । तदाक्षिप्त-शेषमाह । यदीति । तत्र अंतर्दशाहे पूर्वत्र । तत इत्यस्यार्थमाह । जननेत्यादि । प्रागिन्यनेन वर्धनशब्दस्य विपरीतलक्षणया छेदने प्रयोगः ।

एवं पूर्वविषयत्वमुक्त्वा द्वितीयविषयमाह । सद्य इति । अग्नीति । अग्निहोत्रादिहोमार्थ
• मित्यर्थः । उपस्पर्शेऽत्राचमनम् । एवं सित प्रागुक्तम्वाह । नाभीति । व्याख्यातिमदं कंचिदनुकं विशेषं चरमं स्मरति । मूलोकार्थे मनुसम्मितिमाह । मनुनाऽपीति । अयं योग्ययुक्तः संपूर्णं नोक्तपरमसंभवादित्याह । पूर्वेति । रजसो वास्तवोपरमाभावात्सर्वथोपरमाभावाञ्च तेनैव तस्यास्तत्वाद्रजस्वलापदसूचितमाह । निःसेति । साध्वीति । सूचितमाह । स्पर्शादिति । स्त्री ग्रहणेन स्त्रीमात्रस्यायं धर्मो न तु तद्विशेषाया इति सूचितः । तत्र मानमाह । तद्वक्तिमिति । अहीर्थे ठ्यू । स्वागतादित्वादैज् । न

१५ व्यावहारिकीति । तथा चेति । तथा स्मृत्यंतरमपीत्यर्थः । भर्तुः शुद्धा स्पर्शादियोग्या । नियमाभावान्मन्वनुरोधेनाह । पंचमेऽहनीति । प्रसंगासत्र विशेषमाह । यदेति । दर्शनात् तद्दि
कि. १. १७० मात् । अभ्यंतरे स्नानोत्तरिमिति शेषः । विशिदिति आर्ष । अविरोधायाह ।

यस्विति । स्नानेति ति नेत्यर्थः । विशेषांतरमाह । अयं चेति । कदाचिदन्यथासत्वेऽपि तत्संग्रहाय प्रायश्च इति । पुनः तु । विशेषणफलमाह । प्राचुर्येणेति ।

प्रसंगात्तद्धर्मानाह । तथा चेति । रजस्वलया चेत्यर्थः । प्रहान् । सूर्यादीन् । धावेदिति पाठः । अखर्येण महता । इदं सर्वं पाक् स्पष्टीकृतम् । नैमित्तिके ग्रहणादिति निमित्तके । पात्रांति तियनेन साक्षात्रवादिस्पर्शामाव उक्तः । अद्भिः सिक्तगात्रा सती कथंचन न व्रतांगोपांग

१ सम्बन्धित्यत्र । २ कियाविशेषणम् ।

पांगसहिता भावेदित्यन्वयः । आदरार्थं पुनः प्रश्नः । शुद्धिरिति । तां ज्वराद्यभिभृतां । अवधि-माह । इहोति । ज्वरेत्युपलक्षणमित्याह । पंचेति । मात्रं कार्त्स्ने । उत्पन्ने प्राप्ते सति अन्वा-देशसत्वादेनादेशः । स्नाने एव विशेषमाह । यदा त्विति । अयं वश्यमाणः । पूर्वस्तु जीव-द्विषयकः । तत्रादौ व्युत्क्रमण सूतिकाया आह । सूतीति । पुण्यर्गिमरित्यत्रानित्यत्वात्समा-सांतो न । अपोभिमंज्य स्थिता । ततो विप्रात् । वाचा सा शुद्धि लभेदित्यर्थः । तेनैव कुंभे- ५ नैव । पंचिभिरिति । अत्र व्यासोक्त्या कुशोदकं नेति बोध्यम् ।विप्रोऽत्र प्रयोजककर्ता । अथो-भयसाधारणं विशेषमाह । एतचेति । प्रागुक्तं चेत्यर्थः । एक इति मुख्य इत्यर्थः । अयतन-लक्षणे तथा दृष्टत्वादिति भावः । अपरस्तृतीयः । सर्वत्र मानमाह । यथाहेति ।विपत्तिर्मरणम् । यस्य अन्यतमनिर्मित्तस्य । अथ रात्रिविषये आहोषस इति । रात्रावित्यर्थः । तच्छुद्धौ तच्छुद्धि-विषये । दिनं शाह्यामिति होषः । कुत्रेत्याकाक्षायामाह । अर्द्धेति । एवं मुख्यपक्षमुक्त्वा द्वितीय- १० माह । रात्रिमिति । पूर्व एव दिवसः । ऋत्विति समाहारद्वंदः । एवेन भागव्यवच्छेदः । मृते मरणे। अविरोधायाह । एतेषां चेति । अथ प्रकृते एव मूलानुकं विशेषां-तरमाह । इदं चेति । आहितेति । आहितमाधानं तद्यस्यास्तीत्यर्श आद्यच् । तादृश अप्रि-र्थस्यांस्ति । तस्य श्रौताग्निमत इत्यर्थः इति केचित् । वस्तुतस्तु भूतनिष्ठयाधानस्य भूतत्व-लामेऽपि बहुवीहिणा ताह शाग्निसत्ताया वर्तमानतस्यैव लामाचथाश्रुतमेव युक्तमिति बोध्यम । १५ स्मृतितस्तथैव लाभात् । अनाहिताग्नेरुक्तभिन्नस्य । अनेन सर्वसंग्रहः । नञो भिन्नार्थत्वात् । संचेति । "प्रथमेऽद्धि द्वितीयेह्नी"त्यादिना विहितमिति भावः । अनस्रीति । श्रौताग्रिमद्भित्रस्य , सर्वस्येत्यर्थः । साम्नेः श्रौताग्निमतः । यद्यप्यत्रोभयत्रापि सामान्येनोक्तं तथापि "दाहादेव त कर्तव्यं यस्य वैतानिको विधिरिति" स्मृत्यंतरात्तथेति बोध्यम् । अत एव तथैव प्रतिज्ञातं" ·व्याख्यात्रा "मृताहस्तु यथातिथीति" पाठः । क्षयाहस्तु तत्र वर्तमानतिथिमनतिकम्य बोध्य २० इत्यर्थः । आसंस्कारात् आसंस्कारोपक्रमात् । अशौचामावस्योक्तत्वादेवाह । संध्यादीति ।

आशौचादित्यादिना तिन्नमित्तकं संध्यावंदनत्यागादि गृह्यते । ''ऊर्ध्व त्रिपक्षाद्यच्छ्राद्धं मृताहन्येव तद्भवेत् । अधस्तु कारयेद्दाहाद्दाहिताग्नोर्द्विजन्मनः ॥ "

इति स्मरणात् त्रैपदिकपर्यतं प्रेतकार्यमपि श्रौताग्निमतः संस्कारदिवसे एसद्धतरं तु क्षयाहितथौ एवेति बोध्यम् । एवं च प्रागुक्तविधुराग्न्यादेरग्न्यंशे श्रौताग्निमसुल्यत्वेऽपि अन्यत्र सर्वत्र तिद्धन- १५ तुल्यतेति बोध्यम् ॥ २० ॥

याज्ञवल्कीये २१ श्लोकः। (पूर्वार्द्ध)

प्रागुक्तदशाह उयहादिकालाविकास्य सर्वस्याशौ चस्यापवादोऽविशेषादित्याह । सिपंडत्वा - ३० दिनेति। क्रिचिद्त्यस्यैव व्याख्या मृत्युवीति। "डिंबाहवहतानां च विद्युता पार्थिवेन च" (५।९५) इति । ममोराह । चृपोऽभीति । आदिना वर्णत्रयपिग्रहः । पिक्षिनिरासाय साहश्यं सूचयन् शृंगीदंष्ट्रीति ब्राह्मानुरोधेनाह । शृंगितिरश्चामिति । तद्रूपं तिर्यग्योनिनामित्यर्यः । एतेनोभयत्र न्यूनता परिहृता । एतद्थमेवाह । विप्रेति । चांडालादिति *सृतिराह ।

^{*} स्कृत्वन्त्ररादाइ अन्त्वजेति-इति भाति ।

आशीच-याज्ञवल्कीये

अंत्यजेति । अंत्यजादेरप्युपलक्षणमित्यर्थः। अत एवाभ्यहिंतत्वाभृपस्यैव पूर्वनिपातः। एवं पदार्थमुक्ता वाक्यार्थमाह । तैरिति । यथाश्रुतेऽसंबद्धत्वाच्छेषमाह । संबंधिन इति । एवमग्रेऽपि । वक्ष्यमाणगौतमात्प्रागुक्तसिद्धांतानुरोधेनाह । बुद्धीति । एतत्तत्वं प्रागुक्तमः । इन्द्रियार्थेनाक्ष्मः वक्ष्यमाणगौतमात्प्रागुक्तसिद्धांतानुरोधेनाह । बुद्धीति । एतत्तत्वं प्रागुक्तमः । इन्द्रियार्थेनाक्षमः । व्यवच्छेषमाह । न पुनिरिति । अवुद्धिपूर्वमित्यस्य समूलत्वायाह । तथा चेति । व्याख्या पूर्ववत् । हतानामित्यस्याग्रेऽप्युपमयत्र संबंधः । अयुद्धे इति सिन्निहितपूर्वान्वयि । प्रमादेति । तत्र दशाहादेः प्राक् प्रतिपादितत्वात् गोर्भहेऽपीति पाठः । योषितां गोर्वा ग्रहेऽपि ये मृतास्तेषामित्यर्थः । पुनस्त्वर्थे । आह्वे । संग्रामे । उद्यतैः शस्त्रेहंननसाथनैरायुधैः । पाषाणादिभिरापि । क्षत्रधर्मोऽपराङ्मुसत्वम् । तेन हतस्य तु सब्धशौचम् । यज्ञः पिंडदानादिक्तपः । संतिष्ठते समाप्तो भवति । । आशौचमिप सब एवेत्यर्थः । तस्य यज्ञत्वोक्षया तत्पुण्यमाकृत्वं सूचितम् । एवं च तत्रैव मृतानां सब्धःशौचे तदहरेव च सर्वमौध्वदेहिकं वचनात् । एकरात्रं तु तद्दिषयमित्युक्तमेव काश्यपोक्तं संग्राममृतस्य त्रिरात्रं तु प्राप्तमृत्युकालविषये भृग्वादिसाहचर्यादिति बोध्यम् । हरदक्तेन तु हुस्वपाठस्यैव सभ्यत्वांगीकारेण दीर्घमाहेशयुद्धमाबोधनमित्याङ्प्रश्लेषांगीकारेण चमनुषज्य योगिविमागेन व्याख्यातं "डिवाहवेति" मन्वनुरोधात् ।

३५ (उत्तरार्धः)

एवं च गौजलाभिविप्रादिभिरात्मघाते स्मृतिष्वाशौचाभावसयःशौचैकरात्रतिरात्ररूपा ये पक्षास्तेषामेवं व्यवस्था आध्योरवैधात्मघातविषयत्वतृतीयस्य तिक्षितेन कालांतरमृतविषयत्वं तुर्यस्य वेधवृद्धांधात्मघातविषयत्वमिति वाचस्पत्यायुक्तव्यवस्थातु न युक्तेति स्पष्टमन्यत्र। ज्ञातेति प्रमितः स्यैवेत्यर्थः । निमित्तत्वात् । तत्वस्योक्तत्वात् तज्ज्ञाननात्रं तु न हेतुरनागततज्ज्ञानस्यापि वत्वापत्तेः । आदिना मरणम् । अत्र न वश्यमाणलक्षणलक्षितदेशांतर्गहणमिति स्वव्याख्यानं स्वयमेव व्याचष्टे । यत्रस्थेनेति । अपि तु द्वितीयादौ ज्ञायत इति भावः । तस्मिन्तत्रस्थे । मातापितृस्थले विशेषस्य वश्यमाणत्वादाह । सार्पेड इति । सर्वमिति न्यायेनाह । स एवेति । शुचितित्यस्यात्राप्यन्वयमभिभेत्याह । शुद्धिति । न तु श्रवणप्रमृतिदशाहादिकमिति भावः व मनुरपि (५१७५)

१५ "विगतं तु विदेशस्थं शृणुयाद्यो ह्यानिर्दशम् । यच्छेषं दशरात्रस्य तावदेवाशुचिर्भवेत् ॥" इति । शंखोपि । सूचितमाह । एकेति । मानवव्याख्यातं । इदं तत्र साधकत्वेन पाकृ लिसितं व्यंग्यार्थमाह । पूर्णे इति । इतीत्यनेन । अत एव मनुना ज्ञातिमरणिमत्येवोक्तम् । नन्वेतं सिंपडत्वाविशेषात्तत्र पितुरिप तन्न स्यादत आह । पितुस्त्वित । श्रुते इति शेषः । सचैलित्यिप मानवमेवाह । श्रुतेति । नन्वेवमन्यसिण्डानामिप तत्त्यात्ततुल्यन्यायाद्त आह । पतचिति । पत्वेति । पत्वेति । तस्य संबंधिशब्दत्वेन पितुरेव तङ्घोभात् तस्याविविश्वतार्थत्वेऽप्याह । अन्यथेति । तथित्वष्टे इत्यर्थः । तस्माद्देवलः सामान्यक्षपोऽपि सिपंडाविषय इत्याह । तथा मि. पृ. १७९. चेति । सिपंडांशे मूलिसिद्यमुपसंहरित । तस्मादिति । तं पाठं व्याच्छे । प्रापिते इति । सर्विषिमित्यस्य सर्वत्रान्वय इत्याह । सर्विषामिति । तात्पर्यार्थमाह ।

अवीति । वंश्यमाणवाद्वेशेषाभावेनेत्यर्थः । अशेषे पुनः शेषाभावे तु तात्पर्यार्थमाह । अतीति । उपस्थितत्वादाह । सर्व इति । स्पृष्ट्वैवस्तत्वैषसामान्येन सर्वागस्पर्शप्रतीतेः ।

अयं च। एतत् पाठबोध्यः । दशाहादिति । मनुरिष "अतिकान्ते दशाहे तु त्रिरात्रमशुचिर्भवेदिति" (५।७६) । नन्वेवं पूर्वपाठे बाध्यसद्यःशौचस्य कागतिर्ने च तदप्रमाणमेव
आर्षत्वाविशेषेण मुनिभेदे इव.तदैक्येऽपि तत्वस्य दुर्वचत्वादतः 'शास्रांतराधिकरण'न्यायेन तत्पाठैकवाक्यतयैव तत्पाठीयदितीयपादंच्यवस्थाकरणोपस्थिततत्पाठीयदितीयपादव्यवस्थामव्यधानेनादौ
आह । पूर्वोक्तं त्विति । संवत्सरोत्तरम् । अनेन पाठेनैव लाभादाह । अर्वाक् संवत्सरादिति । तत्पूर्तिक्षणात्पूर्वमित्यर्थः । एवमग्रे पूर्वत्र च बोध्यम् । अन्यथा विरोधः सर्वत्र स्पष्ट एव ।
एवं च न कस्यापि वचनस्य वैयर्थ्यम् । एतेन स्नानविषयप्रदर्शकिमताक्षराश्रंथेऽर्वाक् संवत्सरादित्युक्तेराशयं न विद्य इति विवेचनोक्तं समाहितम् । "वर्षोत्तरं स्नानमात्रमिति" मदनोक्तम् । १०
पूर्वपाठानुसारेण मानवे निर्दशमित्यस्य निःकांताशौचकालपरत्वमाश्रित्य त्रिरात्राद्याशौचातिकमेऽपि स्नानोदकमात्रमिति रुद्रधरोक्तं चापास्तं च ।

विरोधं परिहरति । यत्पुनिरत्यादि । उक्तसर्वव्यवस्थायां मानमाह । तथा चेति । अत्रापि निमिन्तसांनिध्यतारतम्यं बीजं बोध्यम् । एतेनान्यथाशंका निरस्ता । षणमासे इति । समाहारे तद्धितार्थं वा द्विगुः । पृर्वत्र पात्रादित्वम् । स्नानमुद्कस्याप्युपलक्षणम् । उक्तं मूलात् । १५ उक्तमानवे स्पृष्ट्वैवत्येवं तक्तकालनिवृत्त्यर्थं न तृद्किनिवृत्त्यर्थः । उक्तवाक्यद्वये संवत्सरग्रहणं तद्वध्वमिपि स्नानोद्कप्राप्त्यर्थं न तु वर्षमध्येव नवमाद्ध्वमप्यिकाशौचाभिप्रायम् । उक्तमूल वसिष्ठोक्तेः । तच्चोक्तमेव व्याख्यात्रा । यत्तु देवलेनोक्तस्

"आ त्रिपक्षात् त्रिरात्रं स्यात्षण्मासात्पक्षिणी ततः । परमेकाह आवर्षादूर्ध्वं स्नातो विशुध्यति॥" तत्पक्षान्तरं माधवसंमतामिति बोध्यम् ।

सिपंडे इति प्रागुक्तिस्चितं विशेषमाह । फ्तचिति । प्रोषिते इत्यायुक्तं सर्वमित्यर्थः । अत एवैतचेति सामान्येनैवोक्तम् । तेन च प्रकृतव्याख्येयपरामर्शः । तथैव ग्रंथकारशैलीसत्त्वात् विशेषपरत्वे हि एतच पुत्रमहणमित्यनुपदोक्तविद्दिशिष्येव ब्र्यात् । किंच स्मृत्यंतरं वासिष्टस्यैव बेंधवमाह । मृलादेरित्यत्र विनिगमकामावः । किंच तेन दशाहेऽपि द्वितीयादौ ज्ञाने त्रिरात्र-स्येव प्रागुल्थानबाधन तत्रापि तत्संभवः । तस्यापि मृलादितो दशाहोत्तरपरत्वं स्वीकृत्य तद्धोधक- २५ मेवेदिमिति च स्वतंत्राणामेवं वकुमर्हमित्यास्तां तावत् । यनु अत्र पित्रादीनां विदेशस्थानां मरण-अवणे मिताक्षराहारलताभ्यां विशेषो लक्षितः संतु रत्नाकरादिभिरलिखितत्वाद्वपेक्षित इति शुद्धिविथेक उक्तं तनु अंधस्थेवांधलग्रस्येति न्यायायितम् । यनु पराशर्व्याख्यायां नंद-पंडितीयायामुक्तं दशाहांतस्तु पित्रोरपि मरणश्रवणे शेषाहोभिरेव शुद्धिः

"असमीपे पितुः प्रेतं श्रुत्वा देशांतरे सुतः। तिल्लामिश्रोद्कं दत्त्वा तच्छेषेण विशुद्धचाति॥"इति। ३० शातातपस्मरणात् इति तन्न । तद्धचनस्य महानिबंधेषु स्वल्पनिबंधेषु च अदर्शनेन निर्मूलत्वात् । मात्रंशे वचनतो लाभात् । अत एव पित्रोरपीति प्रतिज्ञाया असंगतेः वैपरीत्यापत्तेः आशौच-विषये मातृतः पितुः प्राबल्यस्य संनिपाते दृष्टत्वात् निर्मूलोपलक्षणत्वस्य दुर्वचत्वात् पितुः प्रेत-मित्यस्यातीव सामंजस्याभावात् असमीपे देशांतरे इत्यनयोः पौनस्वस्यात् तव पारिभाषिकदेशां-

तरस्यात्राविवंक्षितत्वात् दत्वेत्यस्यौचित्याचेति दिक्। यदि तु इदमपि योज्यामिति दुराग्रहस्तहींत्थं योज्यताम् । पितुरिति राहोः शिर इतिवत् षष्टी । देशांतरे पारिभाषिके असमीपे यत्रस्थेन द्वितीयादिदिने श्रवणं भवति तादृशदेशे च सुतः पितुस्तत् श्रुत्वा तच्छेषेन श्रवणदिनाद्।रभ्य विहितद्शाहाशौचरोषेण तदंगत्वेन स्नात्वा तिलोद्कं दत्वा विशेषेण दशाहेन शुध्यतीत्यर्थः। अत्र पक्षे पितरौ चेदित्येकवाक्यतया तेन मातुरपि ग्रहणमिति न प्रागुक्तद्रोष इति बोध्यम् । एतेन शावेऽतीते इति सप्तमवृत्तस्यमथ पितृमरणे इति निर्दशाहप्रं तंदुत्तरं पाठात्तथा सर्वव्याख्यातृभि-व्याख्यातत्वात् । अत एव सर्वत्वाशो चिमत्येवैकाद्शवृत्ते उक्तम् । अन्यथा तत्रापि अपवाद-वाक्यांतरं पठितं स्थात् । तस्मात्पितरौ चेदिति स्मृतिर्निर्दशाहपरेति तदाशय इत्यपास्तम् । व्याख्यानादिग्रंथवतस्यापि अयुक्तत्वेन तथोक्तेरयुक्तत्वात् तस्यापि मिताक्षरानुयायित्वेन तथा दर्वचत्वात् बाधे हढे इति न्यायात् मानुषाशयापेक्षयाऽऽर्षाशयस्य प्राचल्याच । तथा हि विशेष-विहितेनापवादेन सामान्यविहितोत्सर्गो बाध्यत इति सकलतांत्रिकसिद्धान्तो निर्विवादः । प्रकृते च पितराविति निर्विवादं विशेषशास्त्रपैठीनसीयं सामान्यशास्त्रं तु बृहद्वसिष्टीयवत् शंखीयं मानवं याज्ञवल्कीयं चापि निर्विवादमविशेषात्कर्तारश्च भिन्नाः । तथा सति तेनायस्यैव बाधो न इंग्लीयादेरित्यत्र त्विदच्छेव नियामिका वाच्या सा च न युक्तेति सर्वतंत्रसम्मतमिति तथैव १५ मुन्याशये विज्ञानेश्वरेण प्रतिपादित इति तथैव युक्तम् । यदि तु त्रिंशच्छलोक्यपि योज्ये-्र त्याग्रहस्तर्हि बाध्यसामान्यचिंतयाऽथ पितृविषये इति मध्यपठितमुभयोऽप्त्रवादभृतं प्रसिद्धं चेद-मन्यत्र तत्रैवोक्तिस्त्वशोकवनिक।न्यायादत एव सामान्यश्रुतदेशकाळपदस्वारस्यम् । त्वन्मते तु तस्य संकोचः स्पष्ट एव । अथेत्यस्याप्यत एव । स्वारस्यम् । तेन तत्समाप्तिसूचनात् त्वनमति त्वनित-प्रयोजकत्वापत्तिस्तस्येति दिक् ।

चेत् यदि । पितरो मातावितरो । मृतौ स्यातां । हि तर्हि । दूरस्थोऽपि वक्ष्यमाणदेशां-20 तरलक्षणलक्षितदेशस्थोऽपि । अपिना प्रागुक्तदक्षणलक्षितदेशस्थसमुच्चयः । पुत्रकः अनुकंपादौ कन् । तदिन्यस्यावृत्याऽन्वयः । तत्मरणं श्रुत्वा तद्दिनं मरणश्रवणदिनमारभ्य गृहीत्वोत्पाद्येर्थः । दशाहमिति दादशाहादरेप्युपलक्षणम् । इदानीं प्रचरदेवस्थपक्षांतराशयकं वा सर्वसाधारण्येन्य-पूर्वतिद्विध्याशयकं वा सूतकी भवेदित्यनेन सुचितम् प्रेतकार्यकरणं दर्शयन्नाह । तथेति । महा-२५ ग्रुकः पितेत्यग्रे स्फुर्टीभाविष्यति । आर्द्रवस्त्रधारिणा । वस आच्छाद्ने । अपिनाऽन्द्रमध्यपरिग्रहः । आदिना पिंडदानादि । वर्षोत्तरं सिपंडानां स्नानोदकयोरेवोक्तेराह । न पुनरिति । न त्वित्यर्थः । स्नानमात्रातु सोदकान्मात्रपदेनोक्तव्यवच्छेदः । तथा च ताहशमातापितृमरणिक्षये प्रोषित इत्यादेरपवादोऽयम् । एवं च दशाहमध्येऽपि द्वितीयादिदिवसे तज्ज्ञाने तिहिनाद।रभ्येव दशाहः । दशाहमिति तु छिंगमशिष्यमिति रीत्या बोध्यम् । एवमन्यत्रापि बोध्यम् । न चैव-🖡 मेकादशाहादिविच्छेदापत्तिः । दशाहोत्तरमिति पक्षेऽपि तत्र तत् प्राप्तौ तदाहापत्तेस्तुल्यत्वात् । कर्जितरसत्वे बाधकाभावात्सिपिंडीकरस्य कालांतरसत्वात् तस्यैव कर्तृत्वे तु दोषाभावात् तत्रापि आबश्राद्धमशुद्धोऽपीत्युक्त्या दोषाभावाचेति दिक्। एतेन "प्रोषिते कालशेषः स्यादि' त्याद्यपादो-क्तस्य साधारणत्वमभिप्रेत्य दशाहोत्तरं तच्छ्रवणे पैठीनस्युक्तमिति षडशित्यपरार्कस्मृत्यर्थ-सारनिर्णयसिधुविवेचनकुदादिसकलग्रंथकारायुक्तमपास्तम्। मिताक्षराविरोधात् । निर्यक्तिक-

त्वाच । **त्रिर्णयसिधूक्तदोषासांगत्याच । अत एव देशकालाविशेषादित्युक्तं चिश्राच्छलोक्याम् ।** एतेनापि शब्दात्कालांतरेत्यपि तद्वकतमपास्तम् ।

अपवादान्तरमाह । पितृपत्न्यामपीति । जनन्यामुक्तत्वादाह । मातृव्येति । स्मृत्यं-तरे दक्षीये। नेदं पूर्वपैठिनिसवत्सर्वप्रागुक्तबाधकं दशाहमध्ये द्वितीयादिदिने तज्ज्ञाने प्रोषित इत्यने-नाधिकप्राप्त्या न्यूनेनाधिकानिवृत्या तद्वाधासंभवात् । तथा च तत्र कालदेश एव दशाहोत्तर- ५ मपि न प्रागुक्तरीत्या सर्वम् । अपि तु देशकाळाविशेषाश्रिरात्रमेव । अयमेव मातापितृतो विशेष:। उदकदानातु तुल्यमेव । तदेतदभिप्रेत्याऽऽह । विशेष इति । अपेतायां मृतायाम् । मातृ-वर्ज्यं जननीं वर्जियत्वा । अपिना दशाहोत्तरं तन्मध्येऽपि । एतेन 'व्यतीते त्विति' मदनोक्त-पाठानुसारेण तद्धत्तरं तन्मध्ये उक्तवचनादृशाह इति केनाचिदुक्तं स्मृत्यर्थसारोक्तं चापास्तम् । तथा पाठस्येवाभावात् । इदं च सर्वे वक्ष्यमाणदेशांतरलक्षणरहितदेशांतरस्थमृत्यादावुक्तं अधुना मरण- १० विषये प्रसंगात्तत्राप्यनुक्तमाह । यस्तिवति । वश्यमाणत आह । नद्यादीति । तत्रापुत्रस्योकत्वा-दाह । तत्सिपिंडामिति । तत्र दशाहमध्ये ज्ञानस्यैवासंभवः । कदाचित् ज्ञानेऽपि वा तत्र काल-शेष एव तद्वाधे मानाभावात् प्रागुक्तरीत्या तस्यासंभवाच आद्यपाठैकवाक्यतया वक्ष्यमाणस्य तद्विषयत्वाच अयमेव च पूर्वतो भेदः। अत एव न वर्षोत्तरविषयत्वमेव केचित्पाठानुसारेण एतेन ज्यहाँदेरिप कथं बाध इत्यपास्तम् । क्रीबादिसाहचारेण सर्वथा तद्भावविषयत्वाच । एतेन प्रागुक्त- १५ देशांतरविषयमेव वश्यमाणवाक्यमित्यपास्तम् ।तदेतद्भिप्रेत्याह ।दशाहाद्ध्वं मासत्रयादिति । अपिना तदूर्ध्वे समुचयः । वैखानसे वानप्रस्थे। मृते इति पूर्वत्रयशेषः । स्नानेन सोदकदानेन । गर्भ-स्रावे चतुर्थपर्यतं । गोत्रिणः सपिंडाः। इतीत्यस्य मरणादिति शेषः। पराशरोऽपि (१।३।१-२१) "भुग्विमरणे चैव देशान्तरमृते तथा। वाले प्रेते च सन्यस्ते सद्यःशौचं विधीयते॥ "देशांतरमृतः कश्चित्सगोत्रः श्रूयते यदि । न त्रिरात्रमहोखत्रं सद्यः स्नात्वा शुचिर्भवेत् ॥" इति 🛛 २०

अत्रोक्तविषये त्रिपक्षान्मासत्रये त्रिरात्रमित्यादिवचनविहितस्य वर्षातस्रहाद्याशौचस्य देशांतरेऽपि वश्यमाणरुक्षणे मृते सित प्राप्तो कथं सद्यःशौचिमित्याशंकानिरासायात्र देशांतरं वश्यमाणरुक्षणम् न प्रागुक्तमिति सूचनाय निषेधमुखेनानुपादपूर्वकं देशांतरमृते इत्यस्य विवरण-मृत्तरपयं। एतेन वि(भ?)क्तविषये शेषविहितेन सद्यःशौचेन विरोधात्रिरात्रादेस्तत्राप्रवृत्ते तथिति विवेचनाक्तमपास्तं। प्रागुक्तयुक्तेः। सगोत्रशब्दः सिपंडपरः। मुख्येषु तेषु सोदकेष्विव त्रिरात्रारप्राप्ति-२५ रविति तन्त्रिषधानुवादासंभवात्। यद्यपि माधवेन पूर्व वर्षमध्येऽप्यसिपंडविषयमिनि तु वर्षादूर्ध्वं सिपंडविषयं

"बारुं देशांतरस्थे च पृथक् पिंडे च संस्थिते। सवासा जलमाप्लुत्य सद्य एव विशुध्यति॥" इति (५।७ -) मनोराद्यं तथा तत्र देशांतरस्थे इति पृथक्षिंडविशेषणं स च सोदकः संनिधौ तु 'च्यहात्तृद्कदायिन' इति प्रागेव मनुनोक्तं (५।६४)। मेधातिथिरप्येवं। एतेन प्रत्येकं च श्रवणादिदमं- ३०
सुक्तमिति तदुक्तमपास्तम्। एवं च देशांतरमृतेऽपि सपिंडे त्रिरात्राद्यतिकांताशौचं प्रागुक्तव्यवस्थयाऽस्त्येव।अत एव विष्णुरिप

"अर्वाक् त्रिपक्षात्रिनिशं षण्मासाच दिवानिशम् । अहःसंवत्सरादवर्गदेशांतरमृते सित ॥" इत्युकं तथापि विष्णोः समलत्वे संगतार्थत्वे च प्रागुक्तविषयतयोपवत्तेः रसिषंडविषयपूर्वो-

त्तरसंदर्शयतित्वादां तस्यार्थः । अस्य तदपवादत्वेन यत्फिलितं तदाह । एवं चेति । अस्य तदप-वादत्वे चेत्यर्थः पारिशेष्यादिति पाठे स्वार्थेऽप्यञ् तथैव स्वकर्मनिरत एव । मृतेति समाहारद्वन्दः । अथवेत्यनेनास्य पक्षांतरत्वं सूचितं । एतेषामिति पाठांतरम् । दक्षः (६।२।७)

" सद्यःशौचं तथैकाहरू व्यहश्चतुरहस्तथा । षड् दश द्वादशाहाश्च पक्षो मासस्तथैव च ॥

" मरणांतं तथा चान्यदशपक्षास्तु सूतके" इति ।

" यथार्थतो विजानाति वेद्मंगैः समन्वितम् । सक्लं सरहस्यं, च कियावांश्चेन्न सूतकम् ॥

" एकाहात् ब्राह्मणः श्रुध्येद्योऽग्निवेदसमान्वितः । हीने हीनतरे चैव व्यहश्चतुरहस्तथेति ॥"

च " एकाहाज्यहात्केवलवेदस्तु हीनो दशमिर्दिनौरिति"स्वृत्यंतरं च । आभ्यां विप्रस्यापि कल्पा उक्ताः।तथा शृद्विषये मनुपराशरकौर्माः। "श्रूद्रो मासेन शृध्यतीति" देवलः। "शूद्रस्य १ विश्वाता शुद्धिः"। त्रिंशता दिनैः। गौतमजाबालपैठीनसयः मासं शृद्धस्येति। मनुः (५।१३९) "वैश्यवच्छोचकल्पश्चेति"। पंचदशदिनानीत्यर्थः । शातातपः "मंत्रावश्यवर्जनाच्छ्द्रस्य नाधिकारो न प्रतिषेधो मासमित्येके। तदा स्थितस्तद्दत्स्यादिति" गर्भाधानादि श्मशानांतेषु कर्मसु शृद्धस्य मंत्राणामवश्यं सर्वथा तत्कर्मागभूतानां वर्जनात्यतिषधात्तस्याशौचग्रहणे नाधिकारो न विधिन प्रतिषध इत्यर्थः। अन्यायवर्तिनस्तस्यावश्यकर्त्तव्यकर्माभाव।दाशौचग्रहणे कृतेऽकृतेऽपि न कश्चिन

मतांतरमाह । मासामित । सिद्धांतमाह । तदिति । तं बाह्मणादिवर्णमाश्रितः शूद्रस्तद्द-स्यात् । विप्राश्रितो दशिः क्षत्राश्रितो द्वादशिमेवैह्याश्रितः पंचदशिमित्यर्थः । तदेतदिभिष्ट्योप-संहरति । एवमनेकोच्चेति । उक्तप्रकारेण न्यूनाधिकाशौचपक्षा इत्यर्थः । सिद्धांतमाह । तेषामिति । न्यूनाधिकपक्षाणां शिष्टलोकव्यवहाराभावादित्यर्थः । तथा च ते नादरणीया इति भावः । कलौ वित स्वियवैह्ययोरभावाच्चेत्यपि बोध्यम् । अतीवेत्यनेन किंचिद्वपयोगेतु व्यवस्थापि दर्शितपाया सुकरा चेति स्वितम् । तथा हि द्विविधानि तानि सामान्यप्रवृत्तानि विशेषतः प्रवृत्तानि च । तत्र द्वितीयेषु यत्र य उपाधिरुक्तस्तत एव निर्णयः । आयेषु तु दशाहद्वादशाहायपेक्षया न्यूनाशौचकलपा युगांतरविषयः । "वृत्तस्वाध्यायसापेक्षमयशंकोचनं तथेति" "स्वृत्यंतरात् । दशाह एव विप्रस्य सपिंडमरणे सित कल्पांतराणि कुर्वाणः कलौ भवसपिंडविषमत्वोत्येक्षाया निर्वाजत्वादिमस्य वर्षतिविद्यत्वीत्रिक्षाया वर्षतिविद्वितित्ररात्रास्तदूर्ध्वमप्राप्तेरेव तिन्नषेधानुवादासंगत्यापत्याऽयुक्तत्वाच न युक्तमिति बोध्यम् । महानदी । समुद्रगता । अत्रं व्यवधानम् । वाचः लौकिकभाषाशब्दाः ।

ननु किमत्र विकल्पः समुचयो वा। अत्र कें चित्र। नाद्यः वाक्यभैदापत्तेः । किं तु अंत्यः । वा स्यादिति कोशात् । तथा च त्रितयसत्वे तत्वम्। तत्रापि व्यवस्था त्रितयसत्वे तिंशयोजनां। तरे द्वयसत्वे त्रिंशदुपरि एकसत्वे चत्वारिंशदुपरि त्रितयाभावे षष्टियोजनानंतरमिति तन्न । ३० निर्मूलत्वात् । तथा च कथमिति केचिदुच्यते ।भाषाभेदसहितमहानदीपर्वतान्यतरव्यवधाने केवल-तद्यवधाने च देशांतरम् । तद्भावेऽपि आशोचवक्ष्यमाणतारतम्यक्रमेण विष्रस्य त्रिंशयोजनोपरि देशांतरम् । क्षत्रियवैश्ययोश्चत्वारिंशयोजनोपरि शुद्धस्य षष्टियोजनोपरि एतेन

"भाषाभेदो महानया व्यवधानमथादिणा । त्रिशयोजनदूरं वा प्रत्येकं देशभेदकाः ॥ "देशनामनदीभेदाभिकटेऽपि भवेदादि । न तु देशांतरं प्रोक्तं स्वयमेव स्वयंभुवे"त्यावपास्तम् । अनाकरस्थित्वेन निर्मूछत्वात् । केचितु ''दशरात्रेण या वार्ता यत्र न श्रूयतेऽथवे"त्युक्तेः प्रत्यहं योजनद्वयं गच्छन्पुरुषो यत्र मृतवार्तामाशौचकालमध्ये प्रापयितुं न शक्कोति तहेशांतरम् । तथा च विप्रस्य दशाहाशौचिनो विंशतियोजनैर्देशांतरं क्षत्रादीनां चतुर्विंशतित्रिंशत्षष्टियोजनैरित्याहुः । विशेषांतरमाह ।

इदं चेति । "प्रोष्ति काठशेषः स्यादि"त्यत आरभ्य यदुक्तमित्यर्थः । तन्नामाह । ५ अतीति । अनन्यभावे विषयशब्दस्तत्रैवेत्यर्थः । तब्बवछेद्यमाह । न पुनिरिति । न त्वित्यर्थः । तत्र्यमुक्ताविशेषेत्याद्यर्थः । उपनीतोपेक्ष्यनेन वयोवस्थाशौचवतस्य सर्ववर्णसाधारण्यमपि सूचितम् । उभयत्र मानमाह । तथा चोक्तमिति । दुरुहत्वात्कथमुक्तार्थराभोऽत आह । अयमर्थ इति । जन्मादौ पाक्षिकभेदस्य सत्वादाह । त्रिवर्षादिति । एतेन जन्मप्रभृत्युपनयनादर्वाचीने वयसीति मदनोक्तमपास्तम् । अतीति । तत्र यच व्यहाद्याशौचिमित्यर्थः । व्यर्थमाह । पुनिरिति । अति- भवनोक्तमपास्तम् । अतीति । तत्र यच व्यहाद्याशौचिमत्यर्थः । व्यर्थमाह । पुनिरिति । अति- भवंतोति इत्यस्यानुषंगमाभिप्रत्याहोपरते इति । शास्त्रोक्तमस्तीति शेषः । सांप्रतं तथाऽननुष्ठानाद्ववतीति नोक्तां व्याख्यात्रा । अत्र सर्वेषामित्यनुषंगेणाह । ब्राह्मोति । पूर्वान्वयि । अथ तुर्यपादार्थ-माह । तस्मिन्नवेति । एवव्यवछेद्यमाह । न पुनिरिति ॥ २१ ॥

याज्ञवल्कीये २२ श्लोकः।

व्यवहितसंगतिमाह । क्षत्रीति । द्वादशेति पृथक् पदम् । एवमग्रेऽपि । तुर्यपादार्थमाह । १५ इवमयेति । न्यायेत्यस्यार्थः। पाकेति वैश्वदेवेत्यत्ति किल्विषीति हारीताच्चेति गतिं माधव आह ै। "सीदत्कुटुंबादीनां प्रतिग्रहादियोग्यतामात्रसंपादका इत्यन्ये" । गतिमाहरिति । मरणांताशौचविषयस्तु दक्षेणेव दर्शितः (६।८-१०)

"अस्नात्वा चाप्यहुत्वा च अद्त्वाऽन्नं तथा द्विजः । एवंधिधस्य विप्रस्य सदा तत्सूत्वं भवेत् ॥ "व्याधितस्य कदर्यस्य ऋणयस्तस्य सर्वदा । क्रियाहीनस्य मूर्धस्य स्रीजितस्य विशेषतः ॥

"व्यसनासक्त चित्तस्य पराधीनस्य नित्यशः । श्राद्धत्यागविहीनस्य भस्मातं सूतकं भवेत् ॥"इति।

भि पृ १८० श्राद्धत्यागः । श्राद्धे त्यागः । श्राद्धस्त्यागस्तत्करणमिति यावत् । तथा चेत्थं पर्यवसितम् । उपनीतमरणे विप्रस्य दशाहाशौचम् । क्षत्रस्य द्वाद्शाहं वैश्यस्य पंचद्शाहं श्रुद्धस्य षोडशवर्षपूर्णे सपिंडमरणे मासं ।

"अनुद्रभावः राद्रस्तु षोडशाद्दत्सरात्परम् । मृत्युं समधिगच्छेचेन्मासात्तस्यापि बांधवाः॥ २५

, "शुद्धिं समिधगच्छंति नात्र कार्या विचारणेति।" शंखात्सच्छूद्रस्य पक्षं प्रागुक्तत्वात् । विंशतिरात्रं तु वैश्वदेवरहितद्विजशुश्रूषादिरतश्चद्रविषयम् । सर्ववर्णानां दशाहमेव वा । इदानीं तनशिष्टशूद्रक्षत्रवैद्दयपिरगृहीतश्चायमेव पक्ष इति । एतच्च सर्वे ब्राह्मणादिग्रहणात्सजातीयमेव ।

अथ प्रसंगाद्विजातीयेष्वाह । यदा पुनरिति । तत्र हारीतमाह । उताहाति । विप्रास्वयोतिषु । जन्महानौ जन्मनि मरणे च । यात्रादिः विपादेर्मूद्धीवसिकादियुतावदनंतरे ३० षडह एकांतरे व्यहो द्वयंतरे एकाह इत्यर्थः । मूर्द्धीवसिकादेर्बीह्मणादिषु तु जाते मृतेव

१ शाद्धत्याग-इति मुद्धितदशी चमाठः । र अ. १५१६-७ अन्नुटभार्य इति शङ्कीयपाठः ।

आशौच-याज्ञवल्कीये

जात्वाशौचं तत्कथयन्नादिसंग्राह्ममेवाह । विष्णुरप्याहेति । क्षत्रियेति । ''ब्राह्मणस्य क्षत्रियविद्शूद्रेषु षड्रात्रत्रिरात्रैकरात्रै"रित्यादि । हीनेति । अधिकवर्णसिपंडमरणादौ हीनवर्णानां अधिकवर्णसिपंडाशौचातिकमे शुद्धिरित्यर्थः । विष्रादयः शूद्धस्य विजातीयसिपंडाः । तत्र सिपंड-विष्रगृहे जननादौ दशाहेऽतीते तस्य शुद्धः । एवं क्षत्रवैश्ययोद्दीदशसु पंचदशसु च दिनेषु अतीतेषु शूद्रः शुद्धो भवेदिति भावः । इत्युक्तिमिति । अनुढोमजविजातीयविषयेऽपीति । दशाहादिति भावः । तेषामाशौचे क्षत्रादिजननादिति निमित्ताशौचे ।

विरोधं परिहरित । अनयोश्चेति । यथाक्रममाह । आपिति । अत्रापस्तंबेनान्योऽपि विशेषः उक्तः "क्षत्रविद्शूद्रजातीनां तायेन्यृतकस्तके । तेषां तु पैतृकं शौचं विभक्तानां तु मातृकमिति" । क्षत्रादीनां ये यृतकस्तके स्तस्तत्रायं विभागः । येऽनुलोमविवाहोत्पन्नाः क्षत्राद्यो १ मुर्ज्धाविसकाद्यस्तेषां विभक्तानां पितृगृहावस्थितानां स्वापत्त्यजननाद्ये पैतृकं पितृजातीय-माशौचं विभक्तानां मातृजातीयं । अत्र क्षत्रादिशब्देन न मुख्यग्रहणं तेषां जातिभेदासंभवात् । किंतु मूर्थाविसकादीनां त्रयाणां ग्रहमित्यर्थः । अन्यद्प्याह । दास्यादीनामिति । मासपूर्ति-क्षणाविधरेवेत्यर्थः । दास्या इत्युभयान्विय । सपिंडमरणे इति शेषः । "स्वामिमरणे तु स्वजातीयाशौचमृते स्वामिन्यात्मीयमिति" विष्णोः । दासाश्च गृहजातकीतलब्धदायोपागत-अकालानभृत-१५ स्वाम्याहितमहाक्रणमोक्षितयुद्धपाप्तपणजिततवाहामित्युपगततदास्युद्वाहेन प्राप्तदासत्वकं भक्तदास आत्मविकयिप्रवज्याविसता इति पंचद्श । प्रतिलोमदासादेस्त्वाशौचाभाव एव "आनुलोम्येम दासानामिति" विष्णूक्तेः

अन्यद्प्याह । प्रतीति । स्तादीनामित्यर्थः । माधवादयस्तु तस्मिन्निमिते शुद्रस्य यदाशौर्चं तन्निमित्ते प्रतिष्ठोमानां तदेव शौचाशौर्चे प्रकुर्वीरं शूद्रवद्वर्णसंकरा इति २० ब्राह्मादित्याहुः ॥ २२ ॥

याज्ञवल्कीयं २३ श्लोकः।

व्यवहितसंगतिमेवाह। वयोवस्थेति। दंतोत्पत्तेः प्रागिति शक्यार्थस्तत्फालितमाह। याव-तेति। अतीतस्य मृतस्य। 'आ चूडादि'त्यव्ययीभावः। चूडापदं च लाक्षणिकमित्या चूडाकरणा-दिति। तत ऊर्ध्वमिति भावः। निशाशब्द्स्तत्पर इत्याह। अहोरात्रेति। स्रीत्वोपपत्तये आह। ३५ अञ्चाद्धिरिति। पूर्वोपस्थितत्वादाह। अञ्चाद्धिरिति।

मि १.१८१ अथ सर्वाविरोधं प्रतिपाद्यति। अत्र चेत्यादिनां दशरात्रादिकमितीत्यंतेन । वैष्णवेऽग्निसंस्कारनिषेधसाहचर्यात्सयःशौचस्यादाहिवषयत्वेऽन्यस्य दाहिवषयत्वं परिशेषादित्याह । सित त्विति। मूलमेवाह । अहस्त्विति। शिशावित्युत्तरान्विय। अत्र दंतजननं सप्तममासोप- लक्षणम् । 'दंतजन्मसप्तमे मासी'त्युपनिषद्धक्तेः 'नात्रिवर्षस्येति' प्रागुक्तमान्वे साहचर्यादुदक- कियोपलक्षितस्य दाहस्यापि नामकरणोत्तरं विकल्पितत्वान्नामकरणादुर्ध्वमिति बोध्यम् । तञ्चाशौचांतदिनोत्तरित्रोपलक्षणम् । तदेतत् ध्वनयन्नाह । नामेति । मनुमाह । चूढेति । दंतजननात्सप्तममासात् । कर्मपर्यतं तत्र तत्करणपर्यतं । तत्र तु प्रथमवर्षे कृतचूडस्य तु

'दंतेति' दंतोत्पत्तौ सत्यामसत्यां चेत्यर्थः । यद्यपि प्राग्वःच्युडाग्रहणं नोपलक्षणमिति वक्ष्यते तथापि वक्ष्यमाणांगिरसानुरोधेनाह । त्रिवर्षमिति । तथा चाऽचूडादित्यस्य विषयद्वयं । अत्रासाधारणमानमाह । तथा चेति । अपिना अदंतजातसमुच्चयः । तत्र व्यावर्तकमाह । अकृतेति । अत एव तु शब्दः । तथा च कृतचूहे उभयत्रापि व्यहमिति भावः । इदं च दाहादाहसाधारणं स्मृतीषु, बन्हीषु तत्कृतविशेषानुके चूडाकृतविशेषस्यैवोक्तेश्व आंगिरसमात्रे ५ दाहो छे खेऽपि तद्दिषयस्य वक्ष्यमाणव्याच्च । यतु विष्णुंवा सिष्टयो व्यवस्थापेक्षायामां गिरसा-'दाहे ज्यह अदाहे त्वहरि"ति युक्तं **आंगिरस**स्य वक्ष्यमाणविषयकत्वं तु न युंक्त जातदंतपद-वैयर्थ्यापत्तेः । न हि पूर्णत्रिवर्षोऽप्यजातदंतः संभाव्यते । तस्माद्धिज्ञानेश्वरोक्तव्यवस्था न युक्ता । अत एवा ५शौचदशकादाविदमेवोक्त मिति विवेचनकृत्तन्न । मूलविरोधापत्ते: । तथा सित दंतजाता-दंतजातवत् कृतचूडेऽकृतचूडेऽपि अदाहे एकस्याप्राप्तत्वेन वैष्णवेऽन्यव्यावर्तकतुषटिताकृतचूडे- १० वित्यास्यानर्थक्यापत्तेश्च । इंतजातेऽपीत्येवासिद्धेः । अंगिरसस्य इंतजातपद्सत्वे एतद्विषय-कत्वस्य लाभेन तदानर्थक्यापत्तेश्च । दंतजातेऽपीत्येव सिद्धेः । आंगिरसस्य दंतजातपदसत्वे एव तद्विषयकत्वस्य ठाभेन तदानर्थक्याभावाच्च अकृतचूडत्वस्य प्रथमवर्षादिसाधारणत्वात् जातदंता जातसाधारणत्वाच्च वाऽऽहिताग्न्यादिष्वित्युभयं साधु । तत्सत्वे तु वै निश्चयेन पूर्णतया जाता दंता यस्येत्यर्थेन निश्चितपरिपूर्णदंतः । विशिष्टलाभेन तस्य तदुत्तरमेव स्पष्टत्वेन तथा १५ सुवचम् । सूचितिमद्दं विष्णुवचनेन । विरोधश्च दुष्परिहरः स्यादित्यमे वदता विज्ञानेश्वरेणा-पीति दिक्।

त्रिरात्रमात्रेत्यस्य विषयमाह । तत अर्घ्यमिति । यदाकदाचित् क्रियमाणचूडाकर्मत अर्ध्व निवृत्तेति यदाकदाचित्कृतचूडानामित्यर्थः । अयमेव उक्तद्विविष एव । यत्विति । प्रागुक्तं सर्वे व्याख्यातं च । प्रागुक्तमन्वरोधेनाह । तत्संवत्सरैति । तत् उभयं । उपलक्षणमिदं २० द्वितीयवर्षस्यापि ।

"ततः संवत्सरे पूर्णे चूडाकर्म विधीयते । द्वितीये वा वृतीये वा कर्तव्यं स्मृतिदर्शनात् ॥" इति यमात् । वासिष्ठे ऊनद्विवर्षम्महणेन तस्य निसननस्य मुख्यत्वाद्दाहामावे प्राप्ते त्रिरात्र-विधिद्वारा पाक्षिकानुकल्पमूतमप्यस्तीति सूच्यते । अन्यथा तदानर्थक्यं स्पष्टमेव । काले इत्येव वदेत् । एवं "ऊनद्विवार्षिके बाले प्रेतत्वमनुगच्छिति" इत्यादियमीये एकाहिवधी तद्महणमि २५ तस्य निसननं मुख्यमन्यस्य दाहो मुख्य इति ज्ञापनार्थम् । एतेनाचूडादि यत्र चूडाम्रहणं कालोप-लक्षणमिति प्राच्योक्तमपास्तम् । तस्यानियतकालत्वेन कालविशेषस्योपलक्षयितुमशक्यत्वात् । नामकरणस्य तु नानियतकालत्वं सर्वेषामाशौचांतपरत्वात् कथंचिद्वपलक्षकत्वे तु "विप्रे न्यूने"-त्यांगिरसा वृतीयवर्षपूर्तेरेवावधित्वमुक्तम् । एतेन तस्य कालोपलक्षणत्वाचृतीयवर्षस्य च तत्काला-सप्तममासाद्ध्वं वर्षद्वयाभ्यंतरेकाह इत्यपि प्राच्योक्तमपास्तम् । चूडायाः प्रथमादिकालत्वेऽपि ३० विभे न्यूनेत्यंगिरसा वृतीयवर्षात्र्वमहोरात्रविधेस्तदेकवाक्यतया वृतीयवर्षमेवाऽऽचूडादित्यादिषु गृद्यात इति कद्वधरोक्तं च । यमीये संवत्सरे पूर्णे इत्येव द्वितीयलाभतत्यद्वैयर्थ्याभावार्थे तत्र पूर्णे इत्यन्व द्वितीयलाभतत्यद्वैयर्थ्याभावार्थे तत्र पूर्णे इत्यनुषज्य व्याख्याय वृतीयपदानर्थक्याभावार्थे तस्य वृतीयचरमावयवपरत्विति व्याचक्षाणो मिश्रः । प्राच्यस्तु अकारप्रश्लेषाज्ञाननिबंधन इति दिक् । तदावावयवपरत्विति व्याचक्षाणो मिश्रः । प्राच्यस्तु अकारप्रश्लेषाज्ञाननिबंधन इति दिक् ।

दाहेति विच् सपिंडाभिप्रायः । प्रार्थंयंतीतिवद्दा । यथाकुलमिति प्रागुक्तमूलादाह । कुलेति । तेनैव अंगिरसैव ।

उक्तव्यवस्था न युक्तेत्याह । न चेति । हि यतः । अम्युपेत्याह । तथेति । चोऽप्यर्थे । उप-संहरति । तस्मादिति । एतेन व्यवस्थांतरमपि न युक्तमिति सूचितम् । अदंतजातानामित्यनेन ५ सप्तममासात्पूर्वं न तस्यापि ग्रहणेन प्राग्वत्कृतन्यूनपरतया दुर्योज्ञत्वादाहं । तन्मातेति । निरस्य मैथुनं । धर्मेण त्यक्त्वा । उपस्पृश्य स्नात्वा । वैजिकादिति । वीजावापनिमित्तकादपत्यापत्यवत्सं-बंधादित्यर्थः । अघं आशौचं । अनुसंध्यात् कुर्यात् । तथा च शुक्रनिरसने कृतस्नानस्य यादृशमशुचित्वं न तादृशमत्रापि तु ज्यहमिति भावः ।

उक्तवचनबाहुल्यात् व्यामोहनिरासाय स्पष्टार्थं संकलय्याह । ततश्चेति । उक्तरीत्योक-९ वचनानामेकवाक्यत्वाचेत्यर्थः । अर्थः सिद्धांतः । इतरथा अग्निसंस्काराभावे जातदंतस्य सप्तममासिकादेस्तु । इतरस्य अकृतचूडस्य । अपिना कृतचूडसमुच्चयः ॥ २३ ॥

याज्ञवल्कीये २४ श्लोकः। (पूर्वार्धः।)

एतत्संगतिमाह । इदानीमिति । पुरुषेषु तत्कथनानंतरमित्यर्थः । वश्यमाणापस्तंबादाह । १५ कृतेति। तथा मनोराह। वागिति । वीत्यस्याऽर्थो विशेषणेति । साकांक्षत्वात्पित्रादेस्तदाधिक्या-चाह । सिपंडानामिति । प्रेतास्विति शेषस्तत्र बोध्यः । एवमग्रेऽपि । साप्तपौरुषत्विनरासायाऽऽह । सार्पिंडचं चेति । कृटस्थमारभ्येति भावः । त्रिपुरुषेति कर्मधारयो न तु द्विगुस्तदर्थाविव-, क्षणात् । अप्रत्तानामन्द्वानाम् । प्राग्नुक्तत्वात्तथैवाह । अनुत्यन्नेति । उक्तविशेषद्वयफलद्वयं क्रमे-णाह । अक्नतेति । एवं च यदाकदाचित् कृतचूडायास्त्रिवर्षाट्टर्वमपि ग्रहरेव एतत्प्रवृत्तेः

"अविशेषेण वर्णानामर्वाक्संस्कारकर्मणः । त्रिरात्रातु भवेच्छुद्धिः कन्यास्वह्ना विधीयते॥" इत्यंगिरसा यत्र पुम्रवत्ये ज्यहस्तत्र कन्यास्वहोरात्रविधानाच्च । एवं च कदाप्यकृतचूडायाः सद्यः शौचमिति भावः । असंस्कृतानामविवाहितानां मनूक्तमेवाह । निर्वृत्तेति । ननु दशाहमपि कि ए. १८२ प्रागुक्तमेव । तेन दशाहमित्यादिनाऽत आह । न पुनिरिति । ननु विधाने कुतो युक्तत्वमत अह । अत एवेति । ततः प्राकृतस्य युक्तत्वादेवेत्यर्थः । प्रदत्ता तु या
 २५ वाग्दता तु वारिपूर्वकं नैव प्रतिपादिता द्त्तेत्यर्थः । ज्यवस्थामाह । तत्रेति । तयोर्मध्ये इत्यर्थः ।

उभयसाधारणं पूर्वत्र स्चितम् । विशेषमाह । इदं चेति । पुरुषेषु स्रीषु चोक्तमित्यर्थः । क्षित्रियस्येत्यादि वैधर्मे दृष्टान्तः । नैवमन्यत्र दृष्टमिति शंकां परिहरन्प्रसंगादन्यत्रापि तत्वं प्रति-पादयन्नुपसंहरति । अत इति । उक्तहेतोरित्यर्थः । सर्वेत्यस्याप्रे सर्वत्रानुषंगः । यद्वचयथा च वक्ष्यमाणसंगत्यर्थमाह । यथा वेति । एवं मुनिसंमतेऽर्थे आचार्यसंमितिमप्याह । अत एवेति । ३० उक्तहेतोस्तथा भवितमईत्वादेवेत्यर्थः । आदिना

"विप्रे न्यूने त्रिभिविषैर्मृते ग्रुद्धिस्तु नैशिकी । ब्यहेन क्षत्रिये ग्रुद्धिस्रिभिवैंश्ये मृते तथा ॥ "निवृत्तिः कूडके विप्रे त्रिरात्राच्छुद्धिरिष्यते । निवृत्ते क्षत्रिये षड्भिवैंश्ये नवभिरूच्यते ॥ "ग्रुद्धे त्रिवर्षन्यूने तु मृत ग्रुद्धिस्तु पंचभिः । अत ऊर्ध्वं मृते ग्रुद्धो द्वादशाहो विधीयते ॥

4

"षड्वर्षीतमतीतो यः शूद्रः स प्रियते यदि । मासिकं तु भवेच्छौचमित्यांगिरसभाषितम् ॥" इत्यंगिर आदिपरिग्रहः । विगीतत्वेति । बहूनामनुग्रहो न्याय्य इति न्यायेन तेषामनेक-महास्मृतिविरोधतत्वामिति भावः । तेषामपि गतिं स्वयमाह । वि....बुद्धयेति । अनेन तत्कृताऽनाद-रोऽशक्तिमूळ इति तदंशेऽरुचिः सूचिता ।

(उत्तरार्धः)

गुर्तादीनां प्रायोऽसिपंडानामुंक्त्या तत्र कथमप्याशौचप्रयोजकधर्मराहित्येन तदभावादाह । अतिदेशिमिति । सांनिध्यादहरित्यस्य चेन समुच्चये तद्वत्तिद्दिशौ फिलितमितिदेशिमित्यर्थः । अनेन्नाव्यविहतसंगतिः सूचिता । उपाध्यायो वदैकदेशाध्यापकः । अंगानां व्याकरणादीनाम् । वक्ष्यमाणस्मृत्यनुरोधेनाह । मातुलेति । इतरस्मृत्यपेक्षया धर्मस्मृतेरंतरंगत्वेन प्राबल्यादाह । पकेति । समानेत्यर्थः । एवं पदार्थानुक्तवा वाक्यार्थमाह । एक्विति ।

अथानुक्तविशेषान्त्रतिपाद्यितुमनुसंधातन्येत्यंतेनादौ तथा कृतन्याख्यानफरुमाह यस्तिवति । य उपनयनमात्रं कृत्वा वेदं प्रयच्छति स आचार्यः । यस्तु गर्भाधानायुपनयनांत-कियाः कृत्वा तत्करोति स गुरुरिति प्रागेवोक्तम् । संस्थिते मृते । इदमप्यन्यस्मिन्नंत्येष्टिकर्तरि सति नान्यथेत्याह । यदा त्विति । पितृमेधामिति । प्रेताहारैर्दशिपंडैः सार्द्ध पितृमेधमंत्येष्टिं समौचरेत् कुर्यादित्यर्थः । तत्रेत्यादि वाक्यान्तरम् । समाचरन्निति पाठे तत्कुर्वन्स दशरात्रे १५ • शुध्यतीत्येकमेव वाक्यम् । तदा तत्रेति व्यर्थं मरणविषये इत्यर्थकं वा । ब्रह्मचारिणोऽप्ययं विधि-र्जेयः । प्रेतं हरंति निर्यापयन्ति ते तथा । यथा तेषां दशाहस्तथा शिष्यस्यापीति तु मेघातिथि-स्तत्पुनक्तिग्रस्तं तेनैव सब्बह्मोति । इतरः सब्रह्मचारी कुर्यात् । एवमन्यश्रापि बोध्यमः । समानोति । तथा च समानग्रामीणे आशौचाभाद्व एवेति कश्चित् । तत्वं त्वनु(प)पद-मेव वक्षते । आदिना पक्षिण्यादि यथा सुंभवं संबंधो वाचनिकः । यद्यपि कोशे उपसंपन्न- २० शब्दोऽमृतपर्याय उक्तस्तथाऽप्याशौचस्य बहुत्वादन्यथा व्याचष्टे । मैत्रातिशीलं स्वाचारादिगुणः । एवं च पक्षद्वयेऽपि समानगामिणे संनिहिते त्रिरात्रादि । अनुपसन्ने समानगामिणे संनिहिते • एकाहः । असमानग्रामिणे तु उपपसन्ने तु पक्षिणीति स्मृत्यर्थसारे । अनुपसन्ने समानग्रामिणे तु सथःशौचम् । उक्तदेशांतरलक्षणरीत्या एकात्समक्षिणीत्रिरात्रशौचेषु द्विचतुःषड्योजनह्रपाणि देशांतराणि योज्यानीति दीक्षितोक्तेः । अस्योपयोगः सोदकादावपि बोध्य इत्यग्रे स्फुटी- १५ भविष्यति ।

यत्तुं मातुलग्रहणं पूर्वान्वयि न तूत्तरान्वयि तथा साति बांधवत्वादेव सिद्ध्या तदानर्थक्यां-पत्तेस्तन्वेति व्वनयन्नाह । मातुलेत्यादि । प्रत्यासत्तेरेव युक्तमिति भावः । स्रादेतस्यापि रात्रि-मिति तत्र स्पष्टार्थः । एवमग्रेऽपि । यद्दा मातुले एव पक्षिणीशिष्यादौ रात्रिरहोरात्रम् । ऋत्विक् पाक्यज्ञादिकृत् । वृतः सन्श्रोत्रियांशे एवाह । तथा चेति । तथा बृहस्पतिरपीत्यर्थः । ऋत्विगंशे ३० आह । तथिति । याज्यो यजमानः । तथा च ऋत्विजि अग्निवृतकर्मणि बहुकालं श्रौतस्मार्त-कर्तरि वा एव ग्राममृते त्रिरात्रं ग्रामांतरे पक्षिणी अन्यथैकरात्रम् । ग्रामांतरे एकग्रामे पक्षिणीति

१ 'समारमेत् ' इत्यपि पाटः ।

आशौच-, याज्ञवल्कीये

बोध्यम् । वृद्ध इति मनुः प्रचेताश्चेत्यर्थः । प्रश्ने उत्तरमाह । त्रिरात्रेणैवेति । एवेन पक्षांतरव्यवच्छेदः । तद्वत् असंस्कृतदौहित्रादिवत् । गुराविति । तथा प्रागुक्तैकाहो ग्रामांतरादिविषय

इति भावः । अत्र गुरुः केवलाध्यापक इति केचित् । असापिंडे सोदके इत्यर्थः । देशांतरादाविति
भावः । एकस्माहुरोर्बहुकालं वेदमधीयानः सहाध्यायी । एकोदकानां सोदकानां सप्तस्य

उर्ध्व चतुर्दशपर्यतानां । तत ऊर्ध्वमेकविंशतिपर्यता गोत्रजाः । मातृबंधौ मातृबांधवेषु । तथा

एकाहः। वृद्ध इति विष्णुर्मनुश्चेत्यर्थः। मगिन्यामिति श्रावृर्भागिन्योमिथो बोध्यमेवं भगिन्योरिप न

श्रात्रोस्तयोः सिपंडत्वादिति भावः । कुल्पतिर्मंडलाधिपतिः । तपस्वीत्युभयविशेषणं इति कश्चित् ।

रथक्निमित्तं तयोर्निगुणाघोरेवाऽत्र ग्रहणस्येष्टत्वादिति परे । नक्षत्रेति दिवाशौचाभिप्रायमिदं ।

रात्रौ चेत्तुल्यन्यार त्वाद्धिद्धर्द्धाद्माद्धृति बोध्यम् । नगरेऽपि स्वस्ववीथ्यां यावच्छवस्तिष्ठिति

१० तावत्तत्राशौचमुक्तन्यायेनैव अन्यसंग्रहायाहेत्यादीनीति । सर्वविरोधं परिहरति । तेषु चेति । संनि
धीति । इदमुपलक्षणं गुणवदगुणापेक्षया गृहभेदेन वर्णभेदेन ग्रीत्युपकारातिशयतदभावाभ्याम
पीति बोध्यम् । इदमप्युत्सर्गत आचार्योपाध्यायशिष्यसहाध्यायिषु वृत्ताध्ययनत्वाभ्यां सकलैकदेशाध्ययनेन च ऋत्विक्याज्ययोर्बहृल्पकालत्वेन श्रीतस्मार्तभेदेन चेत्यपि बोध्यम् ॥ २४ ॥

याज्ञवल्कीये २५ श्लोकः।

अहोरात्राशौचमन्यत्राप्याहेत्याह । किं चेति । एवमग्रेऽपि । अनौरसपदेन परिभाषितभिन्नग्रहणं । तदाह । क्षेत्रजेति । तेन बीजिनोऽपि क्षेत्रजादौ तिसिद्धः । अत एव प्राजापत्यं
परपत्नीसुतेषु चेत्युक्तम् । बार्हस्पत्येऽप्येवं । जातेष्विति यथासंभवं बोध्यम् । अहोरात्रामिति ।
बीजिक्षेत्रिणोर्यथासंभवं । तेनाद्यामुष्यायणदत्तकक्रीतादौ पूर्वापि न दशरात्रं नापि त्रिरात्रादीति
भावः । आश्रितास्त्वित । व्यभिचारार्थामिति भावः । पूर्वपरपत्योरिति बोध्यम् । दत्तविशेषण२० फलमाह । प्रतीति । विशेषमाह । एतच्चेति । दत्तकादिविषयकं चेत्यर्थः । आशौचमित्यंतेनान्वयः । तस्यैवाशौचमिति भावः । एवव्यावृत्तिमाह । सपिंडिति । गीत्रिणः
सपिंडाः । तस्य त्विति । तत्प्रसवादाविति भावः । अविरोधमाह । अनयोश्चेति ।
"गोत्रिणः स्नानशुद्धा" इत्येतिपतुस्त्रिरात्राज्यूनाशौचविषयमित्याह । यदा त्विति ।
यथपि परपूर्वाग्रहणात् द्वितीयपत्युरेव त्रिरात्रं प्राप्नोति तथापि प्राजापत्यादावनाश्रितग्रहणात्पूर्वः
२५ स्यापि पितुरित्युपलक्षणं पत्युरापि । तथा च हारीतः

"परपूर्वासु मार्यासु पुत्रेषु कृतकेषु च। भर्तृपित्रोस्त्रिरात्रं स्यादेकाहं तु सिपंडके ॥" इति ।
यथायुक्तप्राजापत्यवचनात्पतिपितृतत्सिपंडानां त्रिरात्रस्यानयोरत्यंततुल्यविषयत्वं प्रतीयते
तथापि त्रिरात्रविषये सिपंडानां मरीचिहारीताभ्यामेकाहविधानात् सामान्यतः समानविषयत्वांगीकारेण पूर्वोक्तोऽवांतरिवषयविभागः कल्प्यः । एवं च सद्यःशौचानुवृत्तौ "अन्यपूर्वासु
३० मार्यासु पुत्रेषु कृतकेषु चेति" शंखिलिखितवचनमि भार्यापुत्रशब्दयोः संबंधिशब्दत्वादुपस्थितयोः पतिपित्रोः सिपंडानामित्यध्याहारेण सिपंडविषयमेव व्याख्येयम् । अत्यधमजातीयभार्याशास्त्रीयपुत्रविषयमिति कश्चित् । मिन्निपितृकसोदरे च जाते एकाहः । मृते अयहः । तथा
च मरीचिः

"मात्रैकेयो द्विपितृको आतरावन्यगोत्रजो । एकाहं सूतके तत्र त्रिरात्रं मृतके तयोः ॥" इति । मि. ए. १८४ विशेषांतरमाह । किंचिति । पूर्वोक्तार्थकत्वेऽहरित्यनुवृत्येव सिद्धे पुनरहर्भहण्डः तत्पदस्य च वैय्यर्थ्यापत्तिरत आह । यस्मिन्निति । मात्रपदेन रात्रिव्यवच्छेदः । तुल्य न्यायादाहं । रात्रौ चेदिति । विषये देशे ॥ २५ ॥

याज्ञवल्कीये २६ श्लोकः।

अत्रं च,द्विजशूद्रबाह्मणमुपलक्षणं पूर्वत्राशौचस्योक्तत्वात् ।

"विहितं हि सर्पिंडस्य प्रेतनिर्हरणादिकम् । दोषः स्यात्त्वसिपेंडस्य तत्रानायिकयां विना ॥"इति

हारीताज्ञासपिंडस्यासपिंडानुगमनमात्रनिषेघे तात्पर्यात्तदृध्वं नयनाह । सिपंडेति । क्विचिद्वित्यनेन।नाथसंग्रहः स्चितः । उत्तरान्विय वा । तदाह । यदीति । उक्तिसामर्थ्यादनुद्धृत-लाभेन फलितमाह । तडागेति । प्रमाणेति । कुच्छ्रेष्वपाठेन कुच्छ्रत्वाभावेनेति भावः ।

यद्यपि निषेधस्य सामान्यविषयत्वादनंतरोक्तस्नानादिविधेरपि तक्किष्यत्वमेवांजस्येन प्रतीयद्वे तथाऽपि हीनवर्णानुगमनेऽपि स्नानाग्रिस्पर्शघृतप्राशनानामितरनिरपेक्षे शोधकत्वे वश्यमाणैकरात्रादि-विरोधास्तत्सापेक्षशोधकत्वे हीनवर्णानुगमननिमित्तैकरात्राद्यंते स्नानस्य प्राप्तत्वेनाविधेयत्वात्समोत्तर-वर्णानुगमने त्वत्प्राप्तत्वेत तस्य विधेयत्वाद्भिध्यनुवाद्वैरूप्यापत्तेरनुवाद्फलाभावात्तस्यार्थिकत्वांगीकारेण तस्य नियमविधिवत्कथंचित्परिहारेऽपि हीनतद्न्यवर्णानुगमनयोरेकरात्रादिसापेक्षत्वं । तद्भावाभ्या- १५ ^५मुपात्रवशंती'त्यस्य पर्वचतुष्टयविषयत्व इव सापेक्षनिरपेक्षत्वक्कृतविधिवैषम्यस्यापरिहार्यत्वाद्वेषम्येण च विकल्पासंभवाद्गत्या निषेधविषयैकदेशसमोत्तमानुगमनविषयत्वमेव । तदाह । इदं चेति । मानोत्कुष्टोभयजातिविषयमित्यर्थः । इतरेषां तु सिपंडानान्तु । विहितत्वादिति । विहित-मित्युक्तहारीतेनेति भावः । ज्ञात्यनुगमनेऽग्निस्पर्शृवृतप्राज्ञनमात्रमधिकं विधीयते । "आशीचं तु यथोक्तमेवेति" रुद्रोक्तं तु न युक्तं । सुज्ञात्यनुगमनस्यातिशयविशेषाख्याशुद्धिजनकत्वे माना-२० भावेन तद्पनायकविधेरयुक्तत्वात्क्षामपत्यादिवन्नेमित्तिकमात्रविधौ तु विशुद्धतीत्यस्यानन्वयात्। एवं ,चाग्निस्पर्शृष्ट्रतप्राशावि समोत्कुष्टानुगमने एवैकयोगानिर्देशान्मुलस्य स्वारस्येन सर्वविषयत्वात्सर्वश्र-नुगमने ताविति कस्यचित्कथनं तु प्रागुक्तवैषम्यापत्या युक्तं । मूहेन तु "शुद्धः कथंचनिति" द्दिषयत्वेन व्यवस्थेति प्राच्योक्तमप्ययुक्तम् । मूलाशुद्धेर्मनुविरोधाच । यतु विवेचनकृत् प्रागुक्त- २५ रीत्या स्नानादेः सर्वविषयत्वेन कालनिरपेक्षशोधकत्वेऽपि वश्यमाणाविरोधाय हीनानुगमने प्रासं-गिके समोत्तमानुगमने बुद्धिपूर्वे इति व्यवस्थाऽत एव मानवे इच्छयेत्युक्तमिति तन्न । एवमपि वैषम्यापत्तेर्वाक्यभेदापत्तेश्च । अबुद्धिपूर्वे तत्र दोषाभावापत्तेश्च । उक्तफलमाह । **निक्रप्टेति** दिक् । इच्छ्येति तु तत्र स्नेहादिरूपहेतुसूचकमुपलक्षणं वा। तत्र तेषां मध्ये। **ज्ञानदुर्बलः** निषेधज्ञानरहितः। अत एव पराशरे'अज्ञानादिति' मौरूर्यादित्येवं माधवेन व्याख्यातं । चीर्णे कृते । ततः तद- э० नंतरं । प्रदेशाद्वा तस्मान्द्वेतोर्वा तस्मिन्कृते सति एव निमित्तसंनिहितमहोरात्रमित्यर्थः । पुनः पक्षिणीति । अयं भावः । यद्यप्यत्रार्थेन स्मृतिरस्ति मानं तथाप्येकांतरस्य द्यांतरपेक्षयोत्क्रत्वत्वान त्तदनुगमनाशौचकालाक्त्र्यनस्यानंतरापेक्षया चापकुष्टत्वात्तदनुगमनाशौचकालादिधकस्य तदन्-गमनाशीच गरिक्केट्टर प्रधार क्षायां द्विरात्रादेशशीचकाळलेनादर्शनात्पक्षण्येव तदाशीचपरिच्छेटिका

आशाँच-याज्ञवल्कीये

क्छप्ता युक्ताऽत एवात्र व्युक्तमेण शृद्धश्रित्रययोरुकं। यद्यपि रात्रिशेषे ब्यहादित्यादिना ब्यहोऽ-प्युक्तस्तथाऽपि प्राप्ताशौचशेषत्वेनैव स विहितो न तु स्वातंत्र्येण पक्षिण्यादिवत् इति न तदादरोऽत्र। किं च 'मष्ठप्रामादि'वज्रूयसा व्यवहारदर्शनात् 'बहूनामनुग्रहो न्याय्य' इति न्यायाच न तदादरः। एवं च (२।५०)

"शवं च वैश्यमज्ञानाद्वाह्मणो योऽनुगच्छति। कृत्वाशौचं द्विरात्रं स प्राणायामान्यडाचरेत्॥" इति। प्रेतीभूतमित्यतः प्राक्तनं पराशरोक्तमपि द्वे रात्री यस्याह इति व्युत्पत्या निशाद्वयं तत्ति ह्विसेऽपि पिक्षणीशब्दार्थं इति बोधकं सदुक्तार्थस्यैव बोधकं न त्वन्यथा व्युत्पत्यार्थातरबोधंकमपूर्वकल्पना-पत्तेरत एव रात्रिमरणे "सा रात्रिश्तरं चाहोरात्रमिति" हरदत्तेनोक्तं। अत एव च निशाद्वयगत-दिवसोऽप्येवमिति क्षिरस्वामीति दिगिति। एतेनोक्तमतादुक्तपराशरतो लब्धं दिरात्रमन्यतच कल्पमाह। तथेति। अन्यदिपि विशेषमाह। तथेति। अज्ञानादिति। ज्ञाने तु द्विगुणं विध्यम्। आस्नानात्वथनात्। अत्र विस्तरोऽम्यत्र स्पष्टः॥ २६॥

याज्ञवल्कीये २७ श्लोकः।

व्यवहितसंगतिमाह । सापिंडोति । तथा हि विप्रादीनां विषये रोदनेऽस्थिसंचयनात्पूर्वे १५ कृते सचैलस्नानम् । तद्वतरमाचमनं । क्षत्रादीनां क्षात्रविषये विट्शूद्रयोश्च वैश्यविषये शृद्रस्य च शूद्रविषये रोदने ततः पूर्वे कृते सचैलस्नानं । तदूर्ध्वम् स्नानमात्रम् । तथा च ब्राह्रेः

"मृतस्य यावदस्थीनि ब्राह्मणस्याहतानि तु । तावद्यो बांधवस्तत्र रौति तद्धांधवैः सह ॥ "तस्य स्नानाद्भवेच्छुद्धिस्ततस्त्वाचमनं समृतम् ।" ततः अस्थिसंचयनानंतरम् ।

"सचैल्रस्नानमन्येषामकृते त्विश्यसंचये । कृते तु केवलं स्नानं क्षत्रविद्र्शूद्रजन्मनाम् ॥" इति । अन्येषां क्षत्रविद्र्शूद्रजन्मनामित्यन्वयः । अत्राऽशौचमागिसमर्पकर्मबांधवपदं समहीनवर्ण परम् न तु विश्रमात्रपरम् । मानाभावात् । विश्रस्य क्षत्रविद्विषयेऽपि तत्रैवास्थ्रां संचयने विश्रो रौति चेत्क्षत्रवेश्ययोः तदा स्नातः सचैल्रस्तु द्वितीयेऽहिन शुध्यति । "कृते तु संचये विश्रः स्नानेनैव, शुचिर्भवेत् ।" इति क्षत्रस्य विद्विषयेऽप्येतदेव । तुल्यत्वात् । शृद्वविषये तु ततः पूर्व विश्रस्य त्रिरात्रं क्षत्रवेश्ययोद्दिरात्रं तदृध्वं तु सर्वेषां द्विजातीनामेकरात्रम् । यथाह पारस्करः

अस्थिसंचयनादर्वाग्यदि विप्रोऽश्रु पातयेत् । मृते शूद्रे गृहं गला त्रिरात्रेण विशुध्यति ॥ "अस्थिसंचयनादृध्वं मासं यावत् द्विजातयः । अहोरात्रेण शुध्यन्ति वाससः क्षाछनेन च ॥ "सजातेदिवसेनैव ब्यहाक्षत्रियवैश्चययोरिति" । सजातेरित्यर्द्धं अस्थिसंचयनात्माकाछविषयत्रेन तत्संछग्नत्वाद्दिशुध्यतीत्येतदर्थात्दृष्टव्ये सजातेः शृद्धस्याहोरात्रविषानं च तद्गृहवासाद्यनुबंधवतो बोध्यमन्यस्य तु प्रागुक्तं सचैछस्नानमेव असिपंडार्थकान्यादिपदोक्त्या सिपंडानामनुगमने रोदननिर्हरणादौ दोषाभावः सूचितः। तथा च विहितमिति हारीतः प्रागुक्तः। अत्रापि नित्यकर्मछोपः सर्वत्र नास्तीति नेदमंत्यकर्मानधिकारप्रयोजकिमिति दिक् ।

व्यवहितसंगतिमाह । सर्पिडेति । अत्र करों कदाचित्संभवेऽप्याह । महीति । ते च येकेचन न तु क्षत्रा एवेत्याह । क्षत्रियादीनामिति । व्यावर्तकमाह । अभीति । तत्संबंध्याऽऽशौचमन्येन प्रकरणम् १ २८।२९ श्लोकः

कर्मत आशौचापवादः।

कार्यमित्यर्थस्तु न विहितत्वादत आह । तेरिति । विपन्नानां मृतानाम् । अत्र संभवान्न प्राग्वदित्याह । संबंधीति । तेनापीति सपिंडमरणे इति भावः ।

मिन पुन्ति । इदमपि न सामान्यत इति ध्वनयन्नाह । अत्र चेति । राज्ञ इति । माहात्मेतिं कर्मधारयः । स अस्ति यस्मिन्निति मत्वर्थीयष्ठन् । यत्र स्थाने स्थितस्य पुंसो माहात्म्यं प्रजैश्वर्यं तत्रास्थितस्येत्यर्थः । तदेव विश्वद्यति। प्रजानामिति । तद्थं यत्त्रासनमुपवेशनं तदे- प्रवात्र कारणं न जातिमित्यर्थः । इतः पूर्वे मनुः (५।९२)

"न राज्ञामंबंदोषोऽस्ति वितनां सित्रणां तथा। ऐंद्रस्थानमुपासीना ब्रह्मभूता हि ते सदा॥" इति । तत्राध्युत्तरार्खेनार्थवादेन न राज्ञामिति सामान्यस्योक्तार्थपरत्वमेव बोधितम् । यस्य चेति सृचितं विशेषमाह । राज्ञेति । दासीति भिन्नं पदं । तदेवाह । अयं चेति । भृत्यादिविषयश्चेत्यर्थः । कर्मेति बहुवीहिः । तन्निमित्तकैः कार्योदियोगरूढ्शब्दैरित्यर्थः । अत एवत्यस्य दर्शयति । १ तन्ने तत्रान्वयः । कारुकर्मणिति । न तु सर्वथा तेषामाशौचामाव इति भावः । अत एवाशौचसत्वान्देव दासीदासादीनांस्त्वसपिंडमरणादिनिमित्तकाशौचस्य स्वामिकार्योदिविषये इदं तत्वं । तत्रै स्वदास्यां जातयोर्गर्भदासीगर्भदासयोः स्वस्वसपिंडादिमरणनिमित्तके आशौचे सचैलस्नानानंतरमनन्यसाध्ये स्वामिकर्मणि अस्पृश्यता नास्ति । अन्नेनोपात्तयोर्भक्तदासयोस्तु विराबाद्वर्धं तत्रैव कार्येऽस्पृष्ट्यता नास्ति । क्रीतादिदासानाम्

"उत्तमस्त्वायुधीयोऽत्र मध्यमस्तु कृषीवलः । अधमो भारवाही" इत्युक्तस्य त्रिविधभृतकस्य तत्तुल्यस्य समदेशिष्ट्यस्य च स्वाम्यादिभूतविप्रादेर्यदाशौचं दशाहादि तद्भध्वं स्वस्य मासादि-्रव्याप्याऽऽशौचसत्वेऽिष अनन्यसाध्ये स्वस्वस्वािमकार्येऽस्पृश्यता नास्ति । सर्वथा गत्यभावे एषामिष त्रिदिनाद्ध्वं स्पृश्यतेत्याहुः । स्तिकायास्तु दास्या मासपर्यतमेवास्पृश्यत्वं । तथा चोक्तं "सर्वमापद्विषयमिति" दिगिति ॥ २७ ॥

याज्ञवल्कीये २८।२९ श्लोकौ ।

अथ कर्मत आशौचापवादमाह । तथित । इदमपि तं विना गत्यभावे आत्याधिक्ये च बोध्यम् । क चेति । तत्र तद्पवादमन्यत्राप्याहेत्यर्थः । वरणेति । वरणभरणाभ्यां संभूताः स्वीकृता इत्यर्थः । "दीक्षणीया इष्टि" इति इत्यस्य सद्य इति अत्रत्यंतत्वं प्रागुक्तम् । स्नातकिति स्नातकत्रतेषु प्रायश्चित्तेषु च प्रवृत्ताश्चेत्यर्थः । विनिगमनाविरहादिति भावः । "स्नानं त्ववभृथे १५ यावतावत्तस्य न विद्यते" इत्यतःपूर्वं । नित्यमन्तप्रदो वानप्रस्थः । ब्राह्ममिदं । कुच्छ्रेत्यादि विषयसप्तमी । सर्वेषां गृहीतेत्यनेनान्वयः । निवृत्ते इति । प्रवृत्तेत्यर्थः ।

"वतयज्ञविवाहेषु श्राद्धे होमार्चने जपे । प्रारम्धे सूतकं न स्यादनारम्धे तु सूतकम् ॥" इति रुघुविष्णोः । प्रारंभश्च तेनैवोक्तः

"प्रारंभो भरणं यज्ञे संकल्पो वतसत्रयोः । नांदीश्राद्धं विवाहादौ श्राद्धे पाकपरिक्रिया ॥"इति । ३० अत्र सत्रपदे न मुख्यमेव सत्रं तत्र वरणाभावात् । वरणञ्च मधुपकीतम्

"गृहीतमधुपर्कस्य यजमानातु ऋत्विजः । पश्चादशौचे पतिते न भवेदिति निश्चय॥" इत्युक्तेः ।

आशौच-, याज्ञवल्कीये

तेन मधुपर्कात्पूर्वमाशौचमस्त्येवेति केचित् । आदिपदेन नांदीश्राद्धवत्कर्ममात्रग्रहणं । उक्तब्राह्मेऽपि निमंत्रणाद्धिन्नः श्राद्धकर्मारंभः पाकरूप एव विवक्षितः । इदं च श्राद्धकर्त्तुः । मोकुस्तु निमंत्रणादेवा-शौचामाव इति बोध्यम् । ब्राह्मणादिष्विति । तथा भोजने नान्वेति न स्यादिति पूर्वोक्तस्या-न्यस्य सपिंडाशौचं न स्यादित्यर्थः ।

प्राग्वद्त्रापीत्याह । सित्रणामिति । तथैवाह । उपेति । दांतृत्वस्य साधारण्यादाह । स्थिति । वैसानसो वानप्रस्थः । प्राग्वद्त्र नेत्याह । सर्वत्रेति । कर्ममात्रे संव्यवहारे चेत्यर्थः । मि. पृ. १८६ अत्र दानादौ । आदिना दानादिपरिग्रहः । मृतोति समाहरादृंदः । वश्य-माणानुरोधेन व्युक्तमेण व्याच्छे । यज्ञे इति । मुख्ययज्ञे यज्ञियमित्यनेनैव सिद्धेराह । वृषोत्सेति । पूर्वेति तथा स्मृतौ तस्योत्तरान्वयः सूचितः । न्यूनतां मूलक्रमेण परिहरति । विवाहेति । आदिना- अध्यार्थद्वयं तस्य क्रमेणाह । संग्राम इति । सग्रुपोढे उपस्थिते । वैरिवेष्टितदुर्गसंरक्षणार्था यज्ञा दुर्गयज्ञाः । शांतिकोज्ञाटनादयः । यात्रायामर्थयात्रायाम् । तीर्थकर्मणि तीर्थयात्रायाम् । तद्वत् शुद्धवत् । आपवपीत्यस्य प्राग्वदर्थद्वयमाह । तथा कष्टायामिति । चः प्रतिग्रहोत्तरे योज्यः । निर्हरणाशोचादि तु प्रागुक्तम् । अथ संनिहितसर्वशेषं प्राग्वत् । विशेषमाह । पंचेत्या अत एव तस्य तत्वादेव प्रतिपादितमित्यत्रान्वयः । उक्तमन्यत्राप्यतिदिश्वति । समानोदकेति ।

नन्वेवं सर्वप्रतिग्रहापत्तिरत आह । अयं चेति । प्रागुक्तः सर्व इत्यर्थः । सर्वत्र वस्तूनि स्मृत्यनु-रोधेनाऽन्यथाऽपि संभवात्किमिति तथांगीकारा इति शंकते । नन्विति । आदिना "ग्रंथार्थतो विजानाति वेदमंगैः समन्त्रितम् । सक्ठं स रहस्यं च क्रियावांश्चेत्र सूतकम्॥" इति दक्षादि २० परिग्रहः । अध्ययनेति त्रितययोगिनामित्यर्थः । विषये इत्यस्यैव व्याख्याऽमी । युक्तंचैतदित्याह । पवं चेति । तत्र तस्य व्यवस्थितौ चेत्यर्थः । युक्तमिति संभवतिविशेषणत्वे उपलक्षणत्वस्यान्याय्यत्वा-दिति भावः । युक्तत्वमेव द्रदयति । पवं चेति । तथा चेकमूलं कल्पनालाघवमिति भावः । साधकांतर-मन्याह । तथा चेति ।

ाम. ए १८० उपसंहरति । अत इति । स्वाध्यायांशे तत्रापि विशेषमाह । चेति । चस्त्वर्थे । ३५ कचित्तथापाठ एव । अथ सर्वशेषं विशेषमाह । एवमिति । उक्तवदित्यर्थः । वाहनेति समाहारद्वंदः । प्रतोदं चाबुक इति भाषाप्रसिद्धम् । रश्मीन् रथादेः । नन्वस्मान्न पृथशादौ स्नानं रुभ्यते शब्दाभावा-दत आह । अयमर्थ इति । आर्थिकमाह । अनुभूतेति । किया च स्नानमेवान्यस्याभुतत्वा-दित्याह । क्रतस्नान इति । अत्र व्याख्यानेऽक्षरास्वारस्यादाह । अथ वेति ॥ २८ ॥ २८ ॥

याज्ञघल्कीये ३० श्लोकः।

अथवेति । वक्ष्यमाणरीत्या । इदमुपलक्षणमित्याह । स्प्रष्टादिभिरिति । संस्पृष्टादिभिरिति संस्पृष्टदृत्यस्यात्राप्यन्वयादाह । समिति । चः समुचये इत्याह । आचम्येति ।

कपिंजलाधिकरणान्यायेनात्रिष्वेषेति दत्तादिपद्युचितमेव प्रतिपाद्यवितुं शंकते । नन्तिवि।

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अनितप्रसंगाय तुल्यतानियामकमाह । स्नानिति । मात्रं कात्स्यें । मात्रपदेन मंत्रजपादिनिरासः । ननु के ते इत्यत आह । ते चेति । विरिक्ते विरेक्श्मशानगम्ये । एकं तत्राधिविशेषमाह । अनृतावपीति । दिवेति भिन्नं निमित्तम् । वारुणीभिरापोहिष्टा इत्यादिभिः । अजीर्णे इति । अभ्युदिते रवावजीर्णे वांते सति अस्तमिते रवावपि तथा अजीर्णे वांते सतीत्यर्थः । कटधूमे शबधूमविशेषे । श्वपाकं चांडाळं । सस्नेहमित्युत्तरान्वयि ।

अष्टरातम् अष्टाधिकशतं । विरोधं परिहरति । एतच्चेति । एवमन्यत्रात्र सर्वत्र बोध्यम्। दिवाकी तिं चंडालम्। न तु नापितम्। तत्स्पर्शे स्वलपदोषात् तस्य स्पृर्यत्वाद्गोज्यान्न-त्वाचेति त मेधातिथिः । उक्तन्यवस्थामन्यत्राप्यतिदिशति । एवमिति । उक्तरीत्येत्यर्थः । स्कंदित्वा विमत्वा। कोशने शब्दे इति सूक्तं अचं वा । देवलकलक्षणमाह । देवार्चनीति । अन्यतमविशेषाभावे तु न तत्वमिति भावः । शैवस्तद्दीक्षायुतस्तद्विशेषः । पाशुपतः । एवं १० लोकायतिकनास्तिकयोरिप भेदो बोध्यः। मनुमाह (५।१०४) अस्वर्ग्येति । तस्य शवविषयत्वे-नासार्वत्रिकत्वादाह । लिंगादिति । चो योज्यः । निषेघोऽपीत्यर्थः । यस्त्वित पाठः । तत्रेति । तस्मिन्विषये इत्यर्थः । गोबालेति । चमरीकेशरूपं यद्यजनं तस्मादर्वागित्यर्थः । इदमभयान्वयि । अस्य स्वल्पत्वाद्विरोधाय चाह। एतद्विति। युगं स्कंधबाह्यं। काष्टं रथादेः। द्वियुगाद्दे समाहार-द्विगुः । तेषां युगादिकं कमादघः अपक्रष्टं वर्जमित्यर्थः । सक्कत्करणे विशेषस्यान्यत्रोक्तत्वादाह । १५ असुदकेति । भासः पिक्षविशेषः । पूर्वनिपातप्रकरणस्यानित्यत्वात्साधृता । खरोष्ट्राश्चोति बहु-वचनांतानां द्वंद्वः सर्वग्रान्थारण्यसंग्रहाय खरोष्ट्रांत्यश्वसूकरानिति पाठस्तुचितः । मार्जाराहो विशेषमाह । मार्जारेति । बहुवीहिः । शास्त्रानुपर्लभादाह । समेति । अन्यदा उभयभिन्नविषये ्रेसदेत्यप्येतत्परं श्वांशे तमाह । श्वेति । ऊर्ध्वमपि करांशे न स्नानमपि तु तदेवेत्याह । कराविति । शुनाद्ययुपहन्यते इति पाठः । तत्र तद्विषये । तेनैव आंगिरसैव । मासाद्यंशे आह । तथेति । श्वव- २० दित्यर्थः । स्पर्शे तत्रापि शेषपदेनात्र करयोरपि संग्रहादेतदनुरोधेन पूर्वत्राप्येवमिति तथोक्तं । प्रबाहुषु हस्तप्रदेशविशेषेषु करेष्विति यावत्। मळाः श्लेष्मादयः। उपहृतः युक्तः। बहुवचनं प्राग्व-त्शुध्योदित्यस्यामेऽप्यनुषंगदर्शनशब्दावोष्ठौ तदपहतोऽपींद्रियोक्तं कुर्यादित्यर्थः।

अत्रापि विशेषमाह । एतच्चेति । अपिनाऽधःपरिग्रहः । आर्तवं रजः । आदिना गंधादि । तान्यव मानुषास्थ्यादीन्येव । रथ्येति समाहारद्वंदः । रथ्यायाः कर्दमहोयौणमित्यर्थः । आयेन २५ तन्मलांतरपरिग्रहः । अत्र कर्दमतोयांशे । ततः जंघामृद्दानानंतरपादयोः षट् प्रत्येकं पूर्वीद्वर्थिमाह । यामोति । इतीत्यस्यार्थ इति शेषः । विशेषं तत्राप्याह । मारुतेति । रथ्येति त्रयाणां दंदः । अंत्य-श्रंदालः । चितानि गृहाणि । पूर्वोक्ताविरोधायाह । इदं चेति । द्वैजातेति द्विजाति ।

मि पृ १८९ ब्राह्मणादिसंबंधीत्यर्थः । अमानुषे अस्थिन । मक्ष्येति शाकादिरूप-भक्ष्यपंचपंचनसान्वर्जियत्वाऽन्यपंचनसमृतशरीरमित्यर्थः । आचम्येत्यर्थः । इदं आनंत्यादुप- ३० संहरति । एवमिति । उक्तरीत्येत्यर्थः ।

प्रकृतमुपसंहरति । एविमिति । विशेषांतरमाहोद्वयेति । त्र्यमचेतनं व्यवधानं व्यवधार्यकं यत्र तत्र स्पर्शे इत्यर्थः । एवमग्रेऽपि स्पृष्टस्पर्शः । तेषां प्रकृतचंडालादीनां स्पृष्टं तदस्यास्ति प्राग्वद्गिति । अनेन चेतनव्यवधानसंग्रहः । अत्रापि विशेषमाहैतच्चेति । पतितादीनि सप्तनिमित्तानि । अशुचिस्पृष्टमिति तृतीयविशेषणम् । तृतीयत्वदिस्पर्शकर्तृणां बोध्यम् । अपिराग्निमसमुचाथकः। चोऽबुद्धिपूर्वे द्वितीयसमुचायकः। तेषां मिथः स्पर्शे आह्। अशुचिनोति। द्यंगै

विरुद्धांगं। नारीमित्युमयान्वयि । चेनारण्यसमुयचः । शिरसि शिरसा सशिरा इति पाठांतरम् । स्मृत्यंतराचनुरोधादाह। कुछू इति ॥ ३० ॥

याज्ञवल्कीये ३१ श्लोकः।

अधुना सक्रशुद्धिकथनानंतरं । संगत्यर्थमाह कास्रित । प्रागुक्तकालकृतशुद्धिविषये

रह्यर्थः । दृष्टांतत्वेनेत्यस्यानुकामतीत्यत्रान्वयः । तेषामिष सत्वादाह । तथैतंदिति । आशोषप्रकरणे इत्यर्थः । दृष्यशुद्धिपंकरणं तु आचाराध्याये गतम् । चेनाऽप्रिमप्रायश्चित्तप्रकरणसंग्रहः ।
अत एव कर्म चेत्यादिवश्च्यमाणसंगतिः । एवं श्रुतिसंग्रहोऽपि । अत एव मनोऽपीत्यादिसंगतिरिति बोध्यम्।प्रतिज्ञातमेव व्याख्यामुखेनाह । तथेति । अनितप्रसंगायाऽऽह । स्वेति । शुद्धिहेतुरिति विपरिणामेनान्वयः । तथा च यथातथाऽध्याहारेण योजना । अन्यथाऽसंबद्धत्वं स्पष्टमेवेति

श्रितः तत्र बीजमाह । शास्त्रोति । एतेनापूर्तस्य कारुतत्वं तदां (?)तेनापि दुर्वचिमित्यपास्तम् । उक्तमेव विश्वयति । आग्निरिति । क्रमेण अन्यस्यासंभवादाह । वाच इति । समेति श्रुत्या कथितमित्यर्थः । ज्ञानं न सामान्यं नापि सर्वस्येत्याह । ज्ञानं चेति । बुद्धि रतः (?)प्रकरणं । वश्यमाणवर्षा
मि. १० १९० ग्रहणमुप्रकक्षणमित्याह । श्रारीरादेरिति । यथेति । मन्वादिनेति भावः ॥ ३१॥

याज्ञवल्कीये ३२।३३।३४ श्लोकाः ।

१५ किंचेति । अन्यान्यपि शुद्धिसाधनानि तत्प्रसंगाद्।हेत्यर्थः । ताच्छील्ये णिनि लब्धमाह । सेविनामिति । मुख्यमित्यनेनान्यस्यापि संग्रहः । तस्या आदावशुद्धत्वे बीजमाह । निदाधिति । शोध्यस्येत्यस्यार्थः शोधिति । मतांतराशयेनाह । द्विजेति । मानसदोषे इत्यर्थः । सार्ह्चर्यादाह । वेदविदिति । अत एवाह । कुच्छादीति । कारणे तदसंभवादाह । भूतेति । लक्षणाबीजमाह । तद्वीति । तत्र संघे कुच्छादेरत्र तत्वासंभवादाह । तप इति । अन्वयः । सत्ताव्यतिरेकोऽभावः । २० इदं कुत्रेत्यत आह । यथेति । इति इत्यादि । औपनिषदिमत्यस्यैव व्याख्याऽस्थूलमित्यादि । प्राग्वदाह । संशयेति । परमेत्युक्तेराह । तप इति । तथा च शुद्ध एवायमिति न प्राग्वच्छन्दिरत्राभि-मतेति भावः ।

नन्वेतासामत्र कथनं प्रागुक्तरीत्याऽपि न सुयोजमित्यंसंबद्धत्वापत्तिरत आह । यथैता इतिन वस्तुतस्तवभावादर्थवादोऽयमित्याह । प्रशंसेति । भूतात्मादीति । प्रागुक्तं तु प्रासंगिकमिति २५ भावः । मनुरापि (अ. ५ श्लो. १०४-१०५)

"ज्ञानं तपोशिराहारो मृन्मनोवार्युपांजनम् । वायुः कर्मार्ककाळी च शुद्धेः कर्तृाणे देहिन।म् ॥
"सर्वेवामेव शौचानामर्थशौचं परं स्मृतम् । योऽर्थे शुचिर्हि स शुचिर्न मृद्धारि ञ्चाचिः शुचिः॥
"क्षांत्या शुध्यंति विद्वांसो दानेनाकार्यकारिणः । प्रद्यञ्चपापा जप्येन तपसा वेदवित्तमाः ॥
"मृत्तोयैः शुध्यते शोध्यं नदी वेगेन शुद्धति । रजसा स्त्री मनोद्धष्टां संन्यासेन द्विजासमः ॥
"आद्भगित्राणि शुध्यंति मनः सत्येन शुध्यति । विद्यातपोभ्यां भूतात्मा बुद्धिर्ज्ञानेन शुध्यतीति॥"
आहारः पवित्राणां पयोमृंहफ्हानां । उपांजनं संमार्जनानुहेपने । अर्थो द्रव्यं । यथा
मृदादिशुद्धावविद्यंवस्तथा प्रमादक्वतेऽपि परद्रव्यापहरणादावविद्यंवन प्रायश्चित्ते प्रवृत्तिरिति
दिक् ॥ ३२ ॥ ३३ ॥ ३४ ॥

इत्याशीचप्रकरणं ॥ १ ॥

^{म. इ. १९} अथापद्धर्मप्रकरणम् ॥ २ ॥

आशौचप्रकरणानंतरमापद्धर्मकथने संगतिमाह । आपद्यपि चेति । इत्यादिनेत्यादिना पूर्व-परिग्रहः। संगतिप्रदर्शनार्थं च व्युत्कमोक्तिः । उक्तेत्यत्रान्वयः । अग्रे आदिनाऽऽचमनतद्भावपरिग्रहः । तत्प्रसंगादापत्प्रसंगात् । 'आपदी' त्यस्य 'वृत्यंतरिम'त्यत्रान्वयः । मूलोक्तंमाह । प्रतिग्रह इति । आदिद्यग्राह्यं तु तत्रैव प्रपंचितं ततं एव ज्ञेयम् । वृत्यंतरिमिति । विप्रस्येति शेषः । पूर्वत्रानुकत्त्वा- ५ दिति भावः ।

याज्ञवल्कीये ३५ श्लोकः ।

द्विजगदोक्त्या विष्ठः क्षात्रेण जीवेत् । क्षत्रियः विशांकर्मणा जीवेचार्थेनापिना वैश्यः शूद्रकर्मणा जीवेदित्यर्थो यद्यपि संभवित तथापि विकल्पासंगत्यापत्या 'फलोपलेति' वश्यमाण-विरोधापत्त्या च तथा नार्थ इत्यमिप्रेत्याह । द्विजो विप्र इति । उक्तहेतोः सामान्यरूपेण तस्या- १० विशेषपरत्विमिति भावः । आपदमाह । बिह्नित । विपुलेत्यर्थः । तस्येद्मित्यादीत्याह । क्षत्रस-मिति । स्पष्टार्थमाह । आपदीति । वा व्यवस्थितविकल्पे इत्याह । तेनापीति । तत्संबंधि-कर्मणापीत्यर्थः । जात्याख्यायामिति सूत्रानुरोधेन कृतं बहुत्वमविविक्षितं संबंधमात्रं विविक्षित-मित्याह । वैश्यसंबंधीति । 'कर्मणे'त्यस्योभयत्रान्वयः साकांक्षत्वादिति भावः । यद्या आपितः कालदेशराजादिप्रयुक्तास्ववृत्त्याजीवनासंभवे हेतुः । स च तत्रेति न व्याख्याने पौनरुकःं । सर्व १५ वाक्यमिति न्यायेन लब्धेवार्थमाह । न त्विति । ऐच्छिकविकल्पाभावे मानं सूचयन्नुक्तमूलार्थे , सम्मितिमाह । तथा चेति । उभाभ्यां स्ववृत्तिक्षत्रवृत्तिभ्याम् । पूर्वतो विप्रलामः । तथा चास्यादि (मनुस्युः १०।८१)

"अजीवंस्तु यथोक्तेन ब्राह्मणः स्वेन कर्मणात जीवेत्क्षत्रियधर्मेण स त्वस्य प्रत्यनंतरः॥" इति । कथं स्यात्कथं वर्तेत इति यदि तव शंका भवेत्तदोत्तरमुच्यत इत्यर्थः । कृषीति । समाहार- २० द्वंद्वस्तद्रूपांतामाश्रित्येत्याद्यर्थः ।

द्विजपदोक्तिं सफलयन्नपि सूचितार्थमाह। तथिति। अपिर्व्युत्कमे । तदाह। आपद्यपीति । हिनिति जातावेकवचनं । ब्राह्मी ब्राह्मणसंबंधिनी प्रतिग्रहादिरूपा । अत्र पश्चे वा चार्थे । तथा च द्विजो विप्रः क्षात्रेण तेन जीवेत्स क्षत्रियो वैश्यकर्मणा स वैश्यः शुद्रकर्मणिति शाब्दार्थेन तद्मावे तात्पर्यं तदाह । किंत्विति । एवो ब्रह्मवृत्तिनिरासे । स्वानंतरेति । संमवाभिप्रायमिति न १५ पूर्वविरोधः । अजीवंतः क्षत्रियाद्यः । स्वेति । स्वस्वधर्मेणेत्यर्थः । व्याख्यातमिदं प्राक् । उक्तार्थ एवास्य न त्वन्यथासाधारणः । वश्यमाणविरोधादिति सूचनायाह । ज्यायसी ब्राह्मीति ।

"जीवेदेतेन राजन्यः सर्वेणाप्ययनं गतः । न त्वेव ज्यायसीं वृत्तिमभिमन्येत कहींचित्॥"

इत्यादि मनुरिप (१०१९५) प्रागुक्तो व्याख्यातश्च । एतेन प्रागुक्तेनानय आपत् । उक्तार्थद्वयादिध्वननायैवाऽऽह । तथा चेति । वाद्वयं चार्थे तयोरिप दिवचनात्तत्र प्रत्येकमन्वय ३० इत्याह । शूद्रस्योत्कृष्टमिति । अनितप्रसंगायोभयत्र शेष उक्तः । मध्यमे इति । हित्वा त्यस्त्वा । तत्र हेतुरुक्तः । सर्वेति । तद्रथमाहं । मध्यमे इति । एवं द्विजाशूद्रविषये प्रागुक्तमपि मूलकृताऽ-नुकल्पं प्रकरणशुद्धये च कंचिद्धिशेषं कथयितुमनुवदाते । शूद्धस्त्वित । मूलमेवाह । शूद्ध-स्येति । व्याख्यातिमदं प्रागनुकं तावनुकल्पं प्रतिपाद्य विशेषमाह । मनुना चेति । तेनापीत्यर्थः । द्विजातिहितमित्यनेन सूचित इति भावः । यैरिति व्याख्यातिमदं । न्यूनतां परिहरति । छुद्धये-५ ऽनुक्तं विशेषांतरमाह । अनेनैवेति । वसिष्ठाद्युक्तेनैवेत्यर्थः । प्रषंचितं चेदं सर्व टीकायाम् ।

उत्तरार्द्धार्थमाह। एवमिति । उक्तरीत्येत्यर्थः।तामिर्त्यस्यार्थ आपदमिति । योग्यतयाह । प्रायश्चित्तेति । अथेत्यादिः । उपाधिभेदेनात्मनो भेदेनाणिजाद्यपपत्तिः । पर्थात्यस्य व्याख्या स्वेति । योग्यतयैवाह । आत्मानमिति । अत्र पक्षे तुर्यपादैकदेशस्यानतिप्रयोजनकत्या न्यूनतानिरासस्य स्मृत्यंतरानुरोधेनेष्टत्वेन चाह । यद्वेति । तदेवाह । तथा चेति । बहुवचनेन १० सातत्यं सूचितमुभयत्र प्रतिप्रहेति । बहुवीहिः । येन इत्यस्यानुषद्धः।तपः कृष्ट्रादिप्रायश्चित्तम् । तपसा चैवेत्यर्थः । उभाभ्यामेवेति यावत् । एवेनान्यतर्व्यवच्छेदः ॥ ३५ ॥

याज्ञवल्कीये ३६।३७।३८।३९ श्लोकाः।

प्रागुक्तरीत्याऽनुवृत्तद्विजपदार्थमाह । ब्राह्मणस्येति । अपणनीयमिति । अपवित्रोऽय-मित्यर्थः । शस्त्रासवेत्यत्र द्वंद्वोत्तरपदको द्वंदः । एवमग्रेऽप्युभयत्र द्वंद्वस्थले समुदायान्वयः । मि. पू. १९२ अमनिरासायाऽऽह । प्रत्येकािमाति । दृष्यायनुरोधान्मन्वायनुरोधाचेितिभावः । तथैव चेति समूहसर्वसमुचये। आदिना पनसादि विशेषमाह । बदेति । फठानां बदरेंगुदे निर्धारणे षष्टी । विक्रेयत्वप्रतिपाद्कोऽयम् । अत एव इति पाठः । फलानामिति फठानि बदरेंगुदे फठान्यबदरेंगुदे इत्यपाठः । अविकृतं कुसुंबादिना न रक्तम् । तथा ची शांखिखिखितौ "शुष्ककाष्ठवदेरादिकार्पासिकरज्जुकार्पासिकसूत्रकृतं न व्यवहरेदिति"। कार्पास-२० संबंधि । तत्रापि कीतानि । अन्येषामकीतप्रस्यैनी व्यवहरेनमुं जवल्क जैर्मुलफ्लैरित्यापैस्तंबेन विकेयत्वोक्तेरिति नारायणः । वस्त्रमिति । तथा च "विकृतेः प्रतिषेधात्प्रकृतेरप्रतिषेध" इति भावः । अन्ये त्वतसीसूत्रमेव गृण्हंत उभयोरपि निषेधमाहुः । न्युनतां निराचष्टे । क्षौमेति । तंतुकृतपट।दिकं कुसुंभादिना रक्तम् । अपि चेदिति पूर्वान्वयि । अपिना रक्तसमुचयः । ओषधीस्त्रिवृत्पभृतीन् । एतन्मनुप्रपंचः प्राकृप्रतिपादितः । उपरुक्षणत्वेनाऽऽह । २५ मंडकादीति । मात्रं कुलने । पाकप्रधानानि द्रव्याणि रसास्तदाह । गुडेक्षुरसेति । क्षीद्रं मधुकल्पः सिक्थकं मधु माक्षिकं मधुमयं दय इति "सप्तेति भावः । विकाराणां तेषामपि अत्र यथासंख्यमन्वयः । द्यं द्यं विकारस्तत्र 'मंडं दिधभवं मस्तु' इति क्रीदाः"। अन्य-ब्याख्यातं । गौतमप्रपंचः प्रामुक्तः । सिक्थमिति । एवमेव कोशः । मामेति भाषाप्रसिद्धं । र्श्यगी वत्सनाभः । भूम्पंशे मानमाह । नित्यमिति । अत्र नित्यमिति । अत्र नित्यग्रहणस्य फळ-३० मुक्तं । तद्रक्तवस्त्रस्य पूर्वतो लाभादाह । नीलीरसिमिति । रुमास्याञ्जवणाकरस्तत्र भवं रौमकम् । स्वार्थे कनित्याह । सीसेति । शुष्केष्विति । अत एव प्रागुक्तशंखलिखितसंगतिः । वयांसि पक्षिणः । अरण्यत्वं सर्वविशेषणं दंष्ट्रिणां भेदेनोक्त्या पशवस्तद्भिन्ना प्राह्माः । 'गंधाश्व सर्वशः' इति मनोराह । प्रभृतय इति । अत्र प्रकरणे सर्वत्रोपलक्षणता मनुगौतमायनुरोधेनोकास्ते

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च प्राक् प्रतिपादिताः । तेनाऽनापदि एतद्रूपस्ववृत्या जीवनेऽप्येतन्निषेध इति प्रागमिहितं सप्रपंचम् ।

एवं पदार्थानुक्त्वा वाक्यार्थमाह । सर्वानेतानिति । शंकोक्तनिरासाय दत्तद्वितीयदोष-मुपपादयन्नाह । क्षत्रियादेस्त्विति ॥ ३६ ॥ ३७ ॥ ३८ ॥

याज्ञवल्कीये ३९ श्लोकः।

(उत्तरार्धः ।)

वैश्यवृत्तौ स्वीक्रियमाणायां धर्मग्रहणं नित्यनैमित्तिकमात्रपरमित्याह । यद्याविति । पाकयज्ञेति स्मार्तयागानां स्थालीपाकादीनां संज्ञा । तिलान् दत्वा धान्यं ग्राह्यं तेन धान्येन समास्तत्समाः । साम्यं च नात्र संख्यादिकुतमित्याह । द्रोणोति ।

"पलं च कुण्डवप्रस्थ आढको द्रोण एव च । धान्यमानेषु बोद्धव्याः क्रमशोऽमी चतुर्गुणाः ॥" कृषीवलः कृषिकरो विषः । अन्यद्व्याख्यातम् । न्यूनतां परिहरति । धर्मेति । भेषजादेरपी- १० त्यर्थः । अशक्तताविति भेषजविशेषणम् । तेनावश्यकता सूचिता । यदि ते ताहशास्तेन विक्रेयाः । तु तदा । आवश्यकभेषजार्थे । अवश्यं यज्ञार्थमेव चेत्यर्थः । उक्तनियमफलितमाह । यद्यन्येति । भोजनेति समाहरहंदः । 'कृमिभूतस्वविष्ठायामिति' पाठांतरम् । अत्र मनोगौतम्वरोधपरि-

मि ए १९३ हारः प्रागुक्त इति स एवात्रापि बोध्यः । रसविषयेऽपि प्रतिप्रसवमावश्यकं १५ कार्यार्थे सूचयन्तत्र विशेषमाह । सजातीयैस्तिवति । प्रागुक्तैः सर्वेरित्यर्थः । मनुमेवाह । रसा देति । निमातव्याः परिवर्तनीयाः । अन्यत् व्याख्यातिमदं । तु पाठे पाठे तु । अत्र कृतान्नादि-विषये विशेषोऽपि सप्रपंचं प्रागुक्तत्त एव बोध्यः ॥ २९ ॥

याज्ञवल्कीयै ४० श्लोकः।

यावत्पूर्वोक्तिति सक्ठप्रागुक्तनिषेषेत्यर्थः । नित्यपदार्थमाह । द्विजातेः कर्महानीति । तस्य यत्कर्म तद्धानीत्यर्थः । 'द्विजातंकर्मेति' पाठांतरं । द्विजतो हीनत्विमत्याह । शृद्धेति । २० पादकानीति पाठः । 'पादनानीति' पाठे बहुव्रीहिबींध्यः । अन्यवैश्यवृत्त्याश्रयणेन वैश्यत्वप्राप्तेः सर्वत्रसत्वेन तथोक्तेरसांगत्वं स्पष्टमेव । तदेतद् ध्वनयन्ननुक्तविशेषमाहैतिदिति । सद्य इत्यादि उक्तार्थे सर्वत्र मानमाह । थथाहेति । निग्नेच्छंति प्राप्नोति । व्याख्यातिमदं प्राक् । अत्र विशेषीऽपि सप्रपंचमिमहितः ॥ ४० ॥

याज्ञवल्कीये ४१ श्लोकः।

किंचेति । मुख्यवृत्त्या जीवनासंभवे विषस्य वृत्यंतरमप्याहेत्यर्थः । अवसादो विशीर्णता । ननु प्रागुक्तवृत्त्याऽनिर्वाहस्तदानीमत आह । क्षत्रेत्यादि । सर्वे वाक्यमिति न्यायेनाह । नैचेति । लिङ्गार्थोऽविवक्षित इत्याह । लिप्यत इति । हार्थमाह । यत इति । नात्र तेजः-

अथापद्धर्म-याज्ञवल्कीये

पुण्यादिक्कतं सादृश्यमित्याह । तस्यामिति । तदेव विशद्यति । यथेति । नेति तत्रेत्यादिः । ननु पूर्वं तस्य तत्र वृत्यंतरस्य वाचनिकतयोक्ततेन तद्गिच्छाकिंचित्करेति व्यर्थमिदमतस्तात्पर्यार्थ-माहैवं चेति । एवं वदता मूलकृता चेत्यर्थः । परधर्मात्स्वनुष्ठितात्परधर्मेण जीवन्हीति मध्ये पाठान्तरम् । अस्य सेषाऽपि

" वैश्यवृत्तिमनातिष्ठन्त्राह्मणः स्वपथि स्थितः । अवृत्तिकर्शितः सीद्ञिमं धर्मे समाचरेत् ॥ "सर्वतः प्रतिगृत्जीयाद् ब्राह्मणस्वनयं गतः ।

"नाध्यापनाद्याजनाद्वा गर्हिताद्वा प्रतिग्रहात् । दोषो भवति विप्राणां ज्वलनांबुसमा हि ते ॥" इति । "जीवितात्ययमापन्नो योऽन्नमत्ति यतस्ततः । आकाशमिव पंकेन न स पापेन लिप्यते ॥" इति च। तथाऽर्थवादोऽपि

^९ "श्चर्यार्तश्च।त्तुमभ्यागाद्दिश्वामित्रः श्वजाघनी । चंडालहस्तादादाय धर्माधर्मविचक्षणः ॥" इति । श्वगजाघनी स्वश्रोणिः ॥ ४१ ॥

याज्ञवल्कीये ४२ श्लोकः।

किंचेति । तस्यापत्तावन्यद्प्योहत्यर्थः । नन्वेवं कार्यमित्येव सिद्धे तुर्यपादो व्यथोंऽत आह । आपत्तौ जीवेति । अनेन पथेन । एवं च तेन सैव कार्य नान्येत्यैच्छिकविकल्पो नेति भावः । १५ नन्वेवमपि कृषिकुसीदयोंवैंइयवृत्ति वेन पूर्वत एव प्राप्त्याऽत्र तयोरुपादानं व्यर्थमत आह । यथापदीति । स्वयमिति । अनुपदि परकारिता तु विप्रस्य स्ववृत्तिरेवेति प्रागुक्तमेव । विश्वत्यादिनीति । कुसीदिभिन्नानीत्यर्थः । तस्यापि दृष्टांतत्वात् । तथा च तदृष्टांतेनान्यविधिरिति दाढ्यांय तयोरुक्तिरिति न वैयर्थ्यमिति भावः । पदार्थानाह । शिल्पमित्यादि । 'क्ष्पेति' पाठातरं सूपेत्यत्र । प्राग्वदाह । तस्त्वयमिति । भृतितो भेदमाह । परेति । अनेन २० तद्न्यसर्वसंग्रहः । प्रचुरतरतृणवृक्षश्चासौ जलप्रायश्चेति कर्मधारयः । उक्तहेतोरेवाह । स्नातेति । अपिना गृहस्थसंग्रहः । अत्र केचन शक्यार्थाः केचन लक्ष्यार्था योग्यतया युक्ता । मि. १.१९४ः अथ वाक्यार्थमाह । पतानीति । विपणिर्वाणिङ्यं ॥ ४२ ॥

याज्ञवल्कीये ४३ श्लोकः । '

अपिना प्रागुक्तसर्वसंग्रहः । इत्यत इति । इत्यतः । किचिचौर्याभ्यनुज्ञामाहेत्यर्थः । बुभुक्षित २५ इत्यत्र मतिबुद्धीति क इत्याहानभ्रिश्चिति । 'अन्नाद्धो'त्यत्र नञ्भेदमात्रे तद्भिन्नात्स्वकर्म-निरतात्क्षत्रियादेर्दंडप्रायश्चित्तवाहुल्यं हीनकर्मणस्तत्क्रमेण ग्रहणेऽपि तथेत्यतः सर्वथा दोषाभावाय व्युत्क्रमेणाऽऽह । श्रूद्धादित्यादि । मन्वनुरोधेनाह । हीनेति । सर्वविशेषणमिदं । तत्वं त्वश्लोत्रिय-त्वादि । तथैवाहैकाहेति । तथैवोति । व्याख्यातिमदं स्तेयप्रकरणे । अन्योऽपि विशेष-स्तत्रैवोक्तः ।

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उत्तरार्धार्थमाह । तथेति । तद्दित्यर्थः । चोंऽते योज्यः । यथावृत्तं सत्यम् । अभीत्य-स्यार्थमाह । आपदीति । नाष्टिकेनेति पाठः । अनेनाभियोगाभावेऽनारूगानं सूचितं । तद् ध्वनय-म्नाह । यथाहेति । यदि स पृच्छति तस्मै पृच्छते तदारूयातव्यं चेत्यर्थः ॥ ४३ ॥

्याज्ञवल्कीये ४४ श्लोकः ।

इदं वश्यमाणम् । राजधर्मीणां प्रागुक्तत्वादाहापरिमिति । अत्र संगतिमाह । आपदिति । ५ तदो यदाकाक्षत्वादाह । य इति । अञ्चनायेत्यप्रत्ययांतं स्त्रियां । नया परीतो भोजनेच्छया व्याप्तः सन् दुःसी भवतीत्यर्थः । ज्ञानं न यथाकयं चिदित्याह । परिक्ष्योति । विधिष्करुमाह । अन्य-थेति । तस्य राज्ञः । विषये देशे । दुर्भिक्षेति शाकपार्थिवादिः । दुर्भिक्षसहितोपाधि-रित्यर्थः ॥ ४४ ॥

॥ इत्यापद्धर्मप्रकरणम् ॥ २ ॥

अथ वानप्रस्थधर्मप्रकरणम् ॥ ३ ॥

सङ्गेष अध्यायद्वयसंगतिमाह । **चतुर्णामिति । प्रतिपादयितुमिति ।** प्रतिपादयिषुरिति पाठान्तरम् ॥

याज्ञवल्कीये ४५ श्लोकः।

प्रकर्षो न बाहुत्यिमित्याह । नियेति । गतिनिवृत्तिमात्रं न विविक्षितिमित्याह । चरतीति । २० गच्छतीत्यर्थः । वनप्रस्थस्यासंज्ञात्वेन स्वार्थाणाऽनिर्वाहादाह । संज्ञायामिति । प्रषोदरादित्वादिति भावः । ननु वनगमनात्पूर्व तत्वाभावेन कथं तेन शब्देनानुवादोऽत आह । भाविनोऽपीति । वृत्तिं वर्तनमाचारं शक्तिं संज्ञां वा.। एवमुक्तमिति शेषः । फिलितमःह । वनिमिति । इत्येविमिति । ननु त्वया भोग्येत्येविमित्यर्थः । व्यवस्थितविकत्पमाह । यदीति । मनुरपि (६१४)

"संत्यज्य ग्राम्यमाहारं सर्व चैव परिच्छदम् । पुत्रेषु भार्या निक्षिप्य वनं गच्छेत्सहैव वेति॥" २५ एतेन "तरुण्या निक्षेपो वृद्धायाः सह ममनमिति" व्याख्यानमपास्तम् । विशेषणांतराणि नित्यानि । भेदमाह । तथेति । किंचेत्यर्थः । विरोधत्वादाहोध्वेति । अनेन पत्नीसत्वेऽपि न तडुपभोग इति सूचितम् । ब्राह्मणवासिष्ठन्यायेन पृथगुक्तिरिति सूचयन्नाह । तथेति । तद्द- दित्यर्थः । तात्पर्यार्थमथाह । सुतेति । तथा तत्पक्षाणाश्रयणे स्मृत्यंतराविरोधाय विशेषमाह । म्, प. १९५ एतच्चेति । तथा च मनुः (६।८७-८८)

''ब्रह्मचारी गृहस्थश्च वानप्रस्थो यतिस्तथा । एते गृहस्थप्रभवाश्चत्वारः पृथगाश्रमाः ॥

"सर्वेऽपि क्रमशस्त्वेते यथाशास्त्रं निषेविताः । यथोक्तकारिणं विष्रं नयंति परमां गतिम्॥"इति। तदेवाह । अवीति । यं आश्रमं तु तं तमेव इति । अनेन मनुरिति । शंखोऽप्येवम् । वली त्वक्-शैथिल्यम् । पलितं केशपांडुर्यम् । समाहारद्वंदः । एवो व्युक्तमे । तदैवेत्यर्थः । अत्रापत्यस्या- पत्यमिति सामान्योक्ताविष सत्यिष दौहिज्ये सत्यामिष पौज्यां नायं विधिः शिष्टसंमतस्तदेतद्मिप्रेत्यैव जातपौत्रस्येत्युक्तम् । एतेनेद्मुभयं वयोविशेषोपलक्षणं "जातपुत्रः कृष्णकेश"

इत्यादिवदित्यपास्तम् । तद्वदुपल्लभणत्वे मानाभावात् । विकल्पासांगत्यापत्तेः । यस्य कथमप्यन्यतरम्न तत्संग्रहाय पक्षांतरोक्तेश्चेति दिक् । विशेषांतरमुक्त्वाविशेषांतरमाह । अयं चेति । पाक्षिक

इत्यर्थः । विद्यति । तस्यैवत्यर्थः । तथा च तद्भिप्रायकमिदमेवेति भावः । एतेन तथोक्त्या
तस्यैवायं विधिन् विधुरस्येत्यपास्तम् । तदाह । मृतेति । वनर्वासस्य स्मरणादिति पाठः । सर्वथा
समासासंभवात् विरोधं परिहरति । अत इति । अनुक्तमूलमाह । दाहेति । कषांयो रागादि ।
तथा च यस्य नेदियचापल्यं स वानप्रस्थः । अन्यस्तु दारपरिग्रहमेव पुनः कुर्यादिति भावः ।

विशेषांतरमाह। साग्निरित। एवं विवेत्यत्रान्वयः। कथंचित्त्वमन्यवहितान्वयि। अदृष्टार्थतन्त्रित। विरासायाह । अग्नीति । वैतानिकं त्रेताग्निविषयकं कर्म श्रीतं । जुडुयात् कुर्यात् । अग्निहोत्रं होमसाधनं यवान्नादि न तु कर्मनामधेयम् । अत एव यथाश्रुतजुहोत्यर्थ उपपन्नः । तत्वे तु प्रागुक्त एव जुहोत्यर्थः । उक्तभेव विशद्यति । दर्शिमिति । उभयं पर्वविशेषणं । पर्व तन्साध्यं कर्म अस्कंद्यन्स्कन्द्नं विध्यतिकमः । यथा विहितस्यानुष्टानस्यासंपादनम् । इदं योगत इति च पादपूरणार्थमिति भेधातिथिः । योगतः युक्त्या अस्कन्द्यन् अविनाशयन् इद- मुभयमपि कुर्योदित्यर्थः । शक्ति इति पाठांतरम् । किं च (मनुस्मृ. ६।१०)

"दर्शेष्ट्यामयणं चैव चातुर्मास्यानि चाहरेत् । तुरायणं च कमशो दक्षस्यायनमेव चेत्रि ॥" दर्शेष्टि चामयणं चेति समाहारद्वंद्वः । चातुर्मास्यतुरायणद्राक्षायणाः श्रौतकर्मविशेषाः । ते , च कमेणानुष्टेयाः । शांखोऽपि

"पुत्रे दारान्विनिक्षिप्य तया वार्जुगतो वने । अग्रीनुपाचरिन्नत्यं वन्यमाहारमाहरेत् ॥" इति ।

श्रे श्रोतवाक्यमाह । पत्न्या सहिति । यतु मेधातिथिप्रभृतयः (पृ. ४६३)
आहिताग्नेः सहाग्निर्भवेनप्रस्थानं सभार्यस्य तत्र च यथाविधि बीह्यादिना श्रोतकर्मानुष्ठानं बीह्यादीनामि मुन्यन्नता कथंचिद्वपपाया । बीहियवावि पवित्रे । मार्यानिक्षेपश्चानाहिताग्नेः कथं- क
चित्सार्तेऽग्नौगितः । उभयोः स्मार्तत्वात् । यस्य वा द्वे भार्ये जाते एकया चाग्नयो नीतास्तस्य द्वितीयापरं निक्षेपवचनमिति तन्न । शब्दमर्यादया तथाऽप्रतीतेः । वक्ष्यमाणदोषगणाच्चात आह । कित्व
भि त्रोति । अस्या उक्तरावश्यकत्वायाह । यथाहीति । तस्यां तस्यां । तद्व्यातिन्नरपेक्षता तद्वदित्यर्थः ।
तत्र विधिवाक्यमाह । यस्येति । अनास्त्रमभका स्पर्शायोग्या । ननु दृष्टांतवैषम्यं ;वत्येऽहनींत्युक्त्वा आरंभसमाप्तेरावश्यकत्वं । तत्रोति । तत्र तथाकल्पनं युक्तम् । नैवं प्रकुते आरंभाभावादत्त
आह । यद्वेति । यथा प्रोषितो यजमानः संविधानादिना दूरस्थोऽप्यिक्रियते संविधान एव च
कर्ता भवति तद्वत्यत्न्यपि वनं प्रतिष्ठमानमनुज्ञास्यतीति सहाधिकारस्तद्वद्रत्रापीति न तद्वोधकः

श्वितिविरोध इत्यर्थः । एतेन वैतानिकशब्दः स्तुत्या स्मार्तपरः । तत्र च न बीद्वादिनियमः

"यदन्नः स्वयं तदन्नास्तस्य देवता" इत्युक्तेरवं च बीद्वादिशास्त्राविरोधः । उभयोः स्मार्तत्वास्पहाधिकारस्त्वस्यामवस्थायां बाध्यते । उक्तश्रौतवाक्यं श्रौतेष्वेव तथात्ववोधकमिति द्वितीयं तु

१ विवेचनीयमिति पं. द

न युक्तं । दैवादिना कथंचित्प्रवासे तथानुष्ठानं हि युक्तं । न स्वेच्छया शक्तिसत्वे । अन्यथा बहूना-मंगानां लोपापत्तेरिति च तदुक्तमपास्तम् । संकोचे मानाभावात् । दैवादिवद्त्र वचनस्य साधकस्य सत्वात् । तद्भाधस्य सर्वथा तत्र सत्वाचेति दिक् ।

कस्यचिन्मतं संडग्नति । न चेति । छोप इति । अग्नेरेवाभावादिति भावः । तथेति अत्र पक्षेऽग्नीनां प्रतिपत्यंतराम्नानात् 'अग्नीन्स्वात्मनि वैतानानिति' । इतिभावः । अपेति । तद्वत्तत्रापि भ विकत्मानुक्तेरत एव प्रागुक्तकांखोकौ नित्यपदसंगतिरिति भावः ।

यत्तु सं यद्दा नैवायं विधिर्गार्हस्थाझेः किं तु 'श्रावणकेनामिमाधायेति' शास्त्रविहितकर्मीतराणि वैतानादीनि दर्शादिप्रयोगस्तु तत्र गौणः । अतस्तदाधानमभार्यस्यैव । गार्हस्थ्योपात्तप्रतिपत्तिस्तूक्तैवेति तत्र तेषां तद्दिषयतायां कथंचिद्प्युपपत्त्यमावात् मृतभार्यादेवीचनिकतद्दिधानपरतया
तद्यपपत्तेश्च । तदेतत् ध्वनयन्दृष्टांतवैषम्यमप्याह । न चेति । नापीत्यर्थः । सर्वथेति भावः । तदाह । १० पंचमिति । तत्र गमनोत्तरमिति भावः । आहितेति । श्रावणां श्रुतिस्तत्र भवः श्रावणिको मार्गस्तेनाहितोऽग्निर्येन तस्य ब्रह्मचार्यदिरित्यर्थः । तत्र मानं स्मृतिमाह । वानेति । चीराजिने
वाससी यस्य सः । मूलेति समाहारद्द्वः । क्ष्याश्चयः रात्रिनिदः । क्ष्माश्चय इति पाठे तु
भूमिश्चय इत्यर्थः । वृक्षेति अत इनीति ठत् । तन्मूलनिवासीत्यर्थः । विस्ष्टेति । गौतमोऽप्येवम् । खंड इति । "शक्रलखंडे वा पुंसी"त्युक्तेः । वहक्तलं वृक्षत्वक् ॥ ४५ ॥

याज्ञवल्कीये ४६ श्लोकः।

संगत्यर्थं निर्णातार्थानुवादमाह । साग्निरिति । तत्र अनुष्ठाने गुणो द्रव्यं हविः । न्यूनतां निराचष्टे । फालेति । देशविशेषे कृद्दालादिनाऽपि कर्षणातः । तत्फलितमाह । अक्नुष्टेति । आग्निवृत्तिन विवक्षितेत्याह । अग्निसाध्यानीति । बृहुवचनांतानां दृंद इत्याह । पितनिति । सृत्यानिर्णायान् । सेवार्थं समागतिशिष्यादीन् । यद्धक्ष्यमिति । यदेव भक्षयतेतत इत्यर्थः । बलिशब्द र विवलक्षणं सर्वस्य वैश्वदेवस्य । अम्मूलेति इतरेतरदृंदः । आश्रमागतान् पांथान् । शंखोऽपि
"यदाहारो भवेतेन पूजयेतिपृदेवताः । तेनैव पूजयेदिद्वानितिथं समुपागतिमिति" ।

अत एवाऽऽह । एविमिति । एवेनान्यच्यवच्छेदः । देवताभ्य इति । सर्वदा यदेव देवताभ्यो हुत्तं दत्तं तच्छिष्टमेव मक्षयेन्न शाकमूलफलादीत्यर्थः । इदं पर्वपरिमिति तु मेघातिथिः ।

मि. पू. १९६ आत्मनीति निमित्तादिति सप्तमी । आत्मनिमित्तं आत्मार्थं शरीरस्थित्यर्थं २५ मुपयोजयेदित्यर्थः । स्वयं कृतमित्यस्य सैंघवादिनिषेघे तात्पर्यं न यौगिकार्थे इत्याह । ऊखरिति । फल्लितमाह । एविमिति । माम्यमिति । वीहियवमयमन्नं । ततः प्रभृति नाश्रीयादित्यर्थः । परिच्छदः गवाश्च वस्त्रासनश्य्यादि ।

ब्रीह्यादीति । 'ब्रीहिमिर्यजेत' इत्यादिश्चत्या तेषां विहितत्वात् वाच्यमित्यर्थकं वचनीयं पदं । बाध इतीत्यप्रे योज्यम् । ननु ज्यानर्थकाप्रतिहतामामिति न्यायेन तथैवोचित- ३० क्रियत आह । जफालेति । तत्र तन्नियमो नेति प्रागुक्तमेव । न विरोध इति । न श्रुति-

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स्मृत्योविरोध इत्यर्थः । तथा चैकवाक्यतैवेति न बाध्यबाधकभाव इति भावः । वासंतेति । वसंते शरि च पच्यंते तानि । तथा स्वयमाहतैरित्यनेन प्रतियहादिवृत्तिकमीनिषेधः स्मार्तानामुक्तकर्मणामनुष्ठानार्थं हत्यादिनाप्युपहरणं । चरुपुरु हाशाश्च वैखानसशास्त्रोक्ता एव ज्ञेयाः । ननु
मानवे 'वासंतेति' बहुवचनांतद्वंद्वस्य मेध्यैरित्यस्य च मुन्यन्नविशेषणत्वातः विश्वत्यर्थस्यैव तेन प्रतिपादनेन कथं वीह्यादेरफालक्ष्मष्टत्वसंभवे मानवं साधकमत आह । नीवारादीति । स्वतः स्वत एव
मुन्यन्नत्वादेव वीह्यादेरित वामंतादेवेत्यर्थः । कथं ततस्तद्वाभोऽत आह । मेध इति । तथा
नियंद्वक्तेरिति भावः । तथा च मुन्यन्नैरित्यनेन तान्येव ग्राह्याणि तानि । न तु तानि । एतेन
मुन्यन्नौरिति न पूर्वसंबंधी किंतु स्वतंत्रं निमित्तम् । अत एवोक्तशंकानवकाशः । मेध्यैरित्यनुवाद
इति मेधातिथ्यायुक्तमपास्तम् । अग्रिमं व्याचष्टे । तथेति । जटाश्चेति ।

"अप्रिहोत्रं समादाय गृह्यं वाग्निपरिच्छद्म । ग्रामादरण्यं निःसृत्य निवसेन्नियतेन्द्रियः ॥
 "मुन्यन्नैर्विविधैर्मेध्येः शाकमूलफलेन वा । एतानेव महायज्ञान्निर्वपेद्विधिपूर्वकम् ॥

"वसीत चर्मचीरं वा मायं स्नायात्प्रगे तथेत्यादिः"। नखमास्त्रियाम्। "विविधाश्चौपनिषदी-रात्मसंसिद्धये श्रुती" रिति (६।२९) मनोराहाऽऽत्मोपासनेति । अत एव न वैय्यर्थ्यं। अन्यथा तत्पष्टमेव ॥ ४६ ॥

याज्ञवल्कीये ४७ श्लोकः।

अर्थस्य साक्षादिनादिसंबंधाभावाच्छेषेणाह । संबंधीत्यादि । एवमग्रेऽपि बोध्यम् । अर्थस्य धान्यादेः । कर्मपर्यातिति दृष्टादृष्टक्र्मपर्याप्तार्थसंचयमित्यर्थः । नियमफलमाह । नाधिकमिति । तस्य रागतः प्राप्तत्वेन नायमपूर्वविधिरिति भावः । नन्वेवं तुर्यपादसंगतिरत आह । यद्येवमिति । कर्थचित् । रोगादिकृतभोजनाभावादिना अर्जनकाले तावत्तनायाः कर्तुमशक्यत्वेन च । एतेन २ । तावत्पर्याप्तसंचयस्येव सत्वेनाधिकस्यवाभावात्कस्य त्याग इत्यपास्तम् । इदमपि षण्माससमिनचय-पक्षयोः । मनुरिप (६।१४-१५)।

'सयः प्रक्षालको वा स्यान्माससंचिकोऽथ वा। षण्मासनिचयो वा स्यात्समानिचय एव वा॥"इति । "त्यजेदाश्वयुजेमासि मुन्यन्नं पूर्वसंचितम्। जीर्णानि चैव वासांसि शाकमूलफलानि चेति च॥"इति ।

अजीर्णानां तु न त्याग इति भावः ॥ ४७ ॥

याज्ञवल्कीये ४८ श्लोकः।

किंचेति । अन्यानिप तद्धमिनाहेत्यर्शः । एवमग्रेऽपि बोध्यम् । दपी मदः । अपराह्य-शब्देन यौगिकेन दिवसावसानसमयरूपः सायंमाग उच्यते । अतो न मन्वादिना श्रुत्यादिना च विरोधः । भारते तुपुरुषमात्रधर्मतयेद्मुक्तं । मनूकस्नानद्वयं तु वैकल्पिकं बोध्यम् । अत्र सायं स्नानोक्त्या रात्रौ भोजनमनुमीयते । भुक्ते स्नाननिषेधात् इति केचित् । यतः स्नातक-वतमतः स्नानमाचरेद्धकेऽपीत्यके । णिन्यर्थमाह । शील इति । एवमग्रेऽपि । साहचर्यादाह । याजनादीति । नित्ययोगे मनुमित्याह । वेदाम्यासेति । यथा गार्हस्थ्येत्यावस्यकव्यापारदशाया तदभावस्तत्र तस्यैवाभावाचेति भावः । अन्यासंभवादाह । मूळफलेति । त्रयाणां दृद्धः । आदिना शाकादि । मनुरापि (६।८)

"स्वाध्याये नित्ययुक्तःस्याद्दांतो मैत्रः समाहितः । दाता नित्यमनादाता सर्वभूतानुकंपकः॥" इति शंखोऽपि "स्वाध्यायं चं तथा कुर्याज्ञेटाश्च विभृयात्तथेति" ॥ ४८॥

याज्ञवल्कीये ४९ श्लोकः।

रूपके साधारणधर्ममाह । निस्तुषीति । मत्वर्थीयष्ठनित्याह । तदिति । कालस्य कार्य-मात्रं प्रतिसाधनत्वादाह । काल्ठेनैवित । धान्येति धान्यरूपा अवस्था यस्य तत्सतुषं धान्यामिति यावत् । न तु तंडुलादीति भावः । वेणुक्रब्द्स्तदीयधान्यपरः । न्यूनतां निराचष्टे । वाद्राब्द् इति । अग्निनैव पक्तमक्षनं यस्येत्यर्थः। एवोऽन्यव्यवच्छेदे "अक्ष्मकुट्टो भवेद्द्वापि दंतोलूखलिकस्तये"त्यस्यो- १० तरार्द्धः (६१९७)। एवं चोभयत्रापीदं द्वयं बोध्यम् । अत एव दंतोलूखलिकत्वापेक्षया विकल्प-माह । अक्ष्मेति । वाक्षब्दस्य मध्यमणिन्यायेनात्राप्यन्वय इति भावः । एतन सक्टद्वाक्षब्देन त्रयाणां विकल्प इत्यपास्तम् । व्यधिकरणबहुवीहिमाह । अक्ष्मनेति । एतेनैकं फलपरमेकं धान्यपर-मुभयमप्यन्यतरपरमित्यपास्तम् ।

उत्तरार्धं व्याचष्टे। तथेति । क्रियास्तथेत्यस्यावैयर्थ्यायाह । दृष्टार्थाश्चेति । अनेन पूर्वयो- १५ मि. १.१९९ रहष्टार्थत्वं सूचितम् । फलातिष्रसंगनिरासायाह । लकुचेति । लकुचादयोः वृक्षविशेषाः । नियमफलमाह । त्विति । मेध्येति । इदं च फलद्वारकं स्नेहविशेषमूलानुरोधा- तथलजोदकशाकानि पुष्पमूलफलानि चेत्यस्यादिः । निषेष्कोऽपि मानवे (६।१४) "वर्जयेनमधुमांसानि भौमानि कवकाणि च । भूस्तृणां शिग्रुकं चैव श्लेष्मातकफलानि चेति"॥

"न फेालकुष्टमश्रीयादुत्सृष्टमपि केनचित् । न ग्रामजातान्यार्तोऽपि मूलान्यपि फलानि चेति॥" २०

स्थलजान्युदकादीनि । अनेन 'तदन्याभ्युपगमः ।' मधु क्षौदं तस्य नित्यं निषेधात् । किवकानां छत्राकाणां वृक्षकोटकादावापि जायमानत्वात्तव्यावृत्तये भौमानीति विशेषणमिति केचित् । गृहस्थधर्मेष्वविशेषण निषेधात्तेषामत्र नियमो न युक्त इति। भौमानीति स्वतंत्रगोजिन्हिकादिनिषेध-परिमत्यन्ये । सर्वथा भूजातमात्रस्य न निषेधः । कवकानां प्रतिषिद्धत्वात्पुनः प्रतिषेधो भूस्तृणा-दीनां तत्समप्रायश्चित्तार्थः । भूस्तृणशिग्रुकशन्यौ वांहीकेषु प्रसिद्धौ शाकविशेषवचनौ । आरण्य-२५ स्यापि कपालकृष्टस्य निषेधः । ग्रामजातान्यफालकृष्टान्यपि । सन्त्यजेदित्यनेनैव सिद्धे देवताभ्यर्चनादौ निषेधार्थमिदम् । आर्त्राऽप्यन्यासंभवेऽवश्यकर्तव्यदेवतार्चनादौ प्रातिनिधिनापिन ग्राह्याणीत्यर्थः। अपिभिन्नक्रमे पुष्पादीन्यपि न ग्राह्याणि किं पुनर्धान्यानीत्यर्थः॥ ४९॥

याज्ञवल्कीये ५० श्लोकः।

सदा सर्वकालम् । एतत्सर्वशेषः । वेत्यस्यार्थो यद्वेति । अहनीत्यत्राहोरात्रं न विवक्षितं ३० मन्वायनुरोधादत आह । नक्तमिति । नयेदित्यादेरतिकामेदित्यर्थः । नापीतिकालं नयेदित्यस्यानु-

'वानप्रस्थधर्म-, वाज्ञवल्कीये

षंगः । एकं दिनमतीत्य द्वितीये सायं मुंजानश्चतुर्थकालिकः । एवं त्रीण्यतीत्य चतुर्थे सायं भुंजानोऽष्टमकालिकः । भोजनस्य प्रकांतत्वात्कालसंबंधः । मत्वर्थीयष्टन् । एतद्ये स एव (६।२०)

"चांद्रायणविधानैर्वा शुक्के कृष्णे च वर्तयेत् । पक्षांतयोर्वाऽप्यश्नीयायवाग् कथितां स्कृदिति॥" पक्षांतौ पर्वणी सकुत्सायंप्रातर्वा । शंखोऽपि

" चतुर्थकालिको वा स्यात्षष्टकालिक एव वा । क्रुच्छैर्वाऽपि नयेत्कालं ब्रह्मचर्य च पालयेत् ॥ " एवं नीत्वा वने कालं द्विजो ब्रह्माश्रमी भवेदिति" । व्यवस्थामाहैतेषां च्रेति ॥ ५० ॥

याज्ञवल्कीये ५१ श्लोकः।

आहारेति । तयोः समयं वर्जयित्वेत्यर्थः । निर्हारो निष्क्वष्य हरणं निष्काशनादि वा । विहारेति पाठे संचारोऽर्थः । रात्रौ रागप्राप्तस्वापनियमविधिफलमाह । नापेत्यादि । रात्रावेवेति । १० नियमस्तु नेत्याह । दिवेति । पुरुषेति ब्रह्मचार्यादिसकलं पुरुषेत्यर्थः । एवं शुचित्वांशेऽपि न नियम इति बोध्यम् । नियमांतरमाह । तथेति । शय्या खट्टा । मंचकः पर्यकः । आदिना मित्यादि । दिनं संप्रपदैरिति पाठस्तदाह । दिनं त्विति । अत्राश्रमे विहाराभावेन त्रयाणां न दृंद्व इत्याह । स्थानेति । तद्र्थमेवाह । कंचिदिति । श्रुतीरितीति ।

" कैषिभिर्बाह्मणैश्चैव गृहस्थश्चैव सेविताः । विद्यातपोविवृद्धवर्थं शरीरस्य च शुद्धये "॥

१५ इति शेषः । दिनमितीति । "स्थानासनाभ्यां विहरेत्सवनेषूपयन्नप" (६।२२) इति शेषः । विपरि-वर्तनं । केवलभूमावेकेन पार्श्वेन पतित्वा पुनः पार्श्वान्तरेणास्थानं इदमेव परिलोटनम् उपयन्नप इत्यनेन नचादीनामसंभवे उद्धृतोदकेनापि स्नानम् । सवनत्रये प्रागुक्ते द्शितम् । पाद्गायैरिति । तथा च तदन्यसंबंधो न भूमोरिति भावः ।

याज्ञवल्कीये ५२ श्लोकः।

२० यद्यपि"ग्रीष्मे पंचैतपास्तु स्याद्दर्षास्वभ्रावकाशकः। आर्द्रवासास्तु हेमंते क्रमशो वर्द्ध्यंस्तपः॥" इति मानवं यथाश्रुतं व्याख्यानं मेधातिथिना हेमंतग्रहणमात्रं शिशिरस्याप्युपलक्षणं कृतं तथापि तन्न युक्तम् । न्यूनतायास्तद्वस्थत्वात् । तदेतत् ध्वनयन्नाह । व्यत्तिरिति । त्रयो क्रतवो यस्मिन्स संवत्सरः । तानेवाह । ग्रीष्म इति । स्मृमीध्याल्लक्षणिति मावः । चत्वार 'अग्रय' इति पाठः । स्थंडिलं न विवक्षितं । मन्वनुरोधाद्तस्तात्पर्यार्थमावर्षाधारेति तन्निवारणार्थं छत्रवस्त्रादिकपापि न ग्राह्ममिति भावः । तात्पर्यार्थमाह । यथा शरीरेति । तप इति । "उपस्पशं स्त्रिषवणं पितन्देवांश्च तर्पयन्" इत्यस्यादिः । उपस्पर्शः स्नानं । उग्रतरं प्रकृष्टतरं । मासोपवासादि शरीर-पीडाजनकम् । शंखोऽपि

"तपसा शोषयेन्नित्यं स्वकं चैव कछेवरं । आईवासास्तु हेमंते ग्रीब्मे पंचतपा तथा॥ "प्रावृष्याकाशशायी च नक्ताशी च सदा भवेदिति॥" ५२॥

याज्ञवल्कीये ५३ श्लोकः।

बहुवचनलब्धार्थमाह। कंटकादिभिरिति। एवमग्रेऽपि। वेरर्थमाह। विविधमिति। योग्य-तयाऽऽहांऽगानीति। तुश्चार्थे इत्याह। यश्च चंदनेति॥ ५३॥

याज्ञवल्कीये ५४ श्लोकः।

मि. १.१९८ अग्निपरिचर्याक्षममिति । चिरकालकृततपसा क्षीणसात्यधिकावस्थां ५ प्राप्तं वानप्रस्थं प्रतीत्यर्थः । अनतिप्रसंगायाह । वृक्ष प्रवेति । तन्मूलमेवेत्यर्थः । चेन स्मातीग्नि-समुच्चयः । अत एवानग्निर्वाह्याग्निरहितः । अत एव वानिकेतः । अग्निरक्षणाद्यर्थं कृतपर्णकुटचाऽपि रहितः । मूल्फलाश्चारण्यानामपि नीवारादीनां मोक्ताऽन्नानाम् । मुनिः स्यात् वाङ्नियमकृतस्यात् । मौनव्रतधारी स्यादित्यर्थः । तथा लोकप्रसिद्धेः । तदाह । मुनिरिति । किंच

"पुष्पमूलफलैर्वाऽपि केवलैर्वतयित्सदा। कालपकैः स्वयंशीणैर्वैखानसमते स्थितं"॥ इति सः १० (६।२१)। यात्रार्थमित्यस्यार्थमाह। यावतेति। यात्रा प्राणधारणम्। तदाहमनुः (६।२६–२७) "अप्रयत्नः सुखार्थेषु ब्रह्मचारी घराशयः। शरणेष्वममञ्जेव वृक्षमूलनिकेतनः॥

"तापसेष्वेव वृक्षेषु यात्रिकं भैक्षमाहरेत्। गृहमेधिषु वान्येषु द्विजेषु वनवासिषु ॥" इति । शरणेषु कुटीवृक्षमूलादिषु । अममः आत्मीयत्वाभिनिवेशरहितः । तापसेष्वित्यादिषु पंचम्यर्थस्य तत्विविक्षया सप्तमी । यात्रिकमिति मत्वर्थीयष्टन् । अन्येभ्यो गृहस्थेभ्यो वनवासिभ्य एव द्विजेभ्यो १५ वेत्यर्थः ॥ ५४ ॥

याज्ञवल्कीये ५५ श्लोकः। (पूर्वार्धः।) "

तदसंभवः । वानप्रस्थगृहभैक्षासंभवः । संविधाऽस्य बाधितत्वादाह । व्याध्यभीति । अर्थलुत इति । अर्थाद्धप्त इत्यर्थः । अस्यानुकल्पत्वेन तत्तोऽभिफलभिक्षैवेत्यपि । तथा मनुरापि(६।२८–२९)

"ग्रामादाहृत्य वाऽश्वीयाद्द्यौ ग्रामान्वने वसन् । प्रतिगृह्य पुटेनैव पाणिना शक्लेन वा ॥ "उताश्चान्याश्च सेवेत दीक्षा विप्रो वने वसन्निति"।पुटं पत्रस्य । पाणिनेति भाजनाभावः । शक्लं शरावादिसंहः । एताः प्रागुक्ता अन्याश्चक्षुर्निमीलनादयः दीक्षानियमाः । शंखोऽपि

"प्रामादाहृत्य वाऽश्रीयादष्टौ प्रासान्समाहित" इति । न्यूनतां निराचष्टे । यदा पुनरिति । युनेः ,यतेः,।

(उत्तरार्धः।)

अवतरत्यालब्धार्थमाह । अथवेति । प्राग्वदाह । वायुरेवेति । अकुटिलेत्यत्र मानमाह । यथाहेति । अपराजिता ऐशानी ।

"आ निपाताच्छरीरस्य मुक्तो वार्यनिलाशनः" इत्यस्योत्तरार्द्धम् । इद्मेव महाप्रस्थानं वीराध्वा च । अत एवातन्त्रिरासायाह् । महेति । ज्वल्रनस्याभ्यर्हितत्वात्पूर्वनिपातः । अत्र एवातन्त्रिरासायाह् । महेति । ज्वल्रनस्याभ्यर्हितत्वात्पूर्वनिपातः । महेति । अत्र प्रवादित्वत्त्रित्वात् । त्येवाहैवमिति । ऐद्रवं चांद्रायणदीक्षानियमाः । मूलानुरोधेनाह् । महेति । काद्माचित्कत्वनिरासायाह् । निन्वति । एता एव महर्षिचर्याः । तद्म्यतमया एकपाक्या

वानप्रस्थधर्मन बाज्ञवल्कीये

कयाचिद्षि ययासंभवं । नरकदुःसानुभवः शोकः । नरकं गमिष्यामीति भयं । तदुभवरहितः । विप्रग्रहणं द्विजोपलक्षणम् । अव्यवधानेनैवार्चिरादिक्रमेण ब्रह्मलोकं प्राप्य तत्र पूज्यमान आस्ते इत्यर्थः । स्थानेति । स्वर्गाद्षि निरितशय इत्यर्थः । तुरीयेति । केवलकर्मकृतो मोक्षामावादिति भावः । गीतोक्तमाह । योगेति । तद्भावो मक्तवम् । आदिना सारूप्यादिपरिग्रहः । अत्र श्रुतिं मानमाह । त एवेति । श्रुतावित्यस्याभिधानद्वयेऽन्वयः । स्कंधः शासा । यज्ञ इति । इत्येतिपाठांतरं । प्रथमः गृहस्थरूपः सः । द्वितीयो वानप्रस्थः । तृतीयो नैष्टिकः । ब्रह्मत्यादिनाऽयभेवोच्यते । उपकर्वाणस्य संगृहीतत्वात्प्रथगत्रानुक्तिः । यागादिकं तत्त्वरूपं । अन्यर्था श्रुतिविरोधः मि. १. ११९ भे स्पष्ट एवेति भावः । एवं सत्यन्यविरोधमपि परिहरति । यद्पीति । एवेनैतद्विरुद्धं मेधातिथ्याद्युक्तमपास्तमिति दिक् ॥ ५५ ॥

इति वानप्रस्थप्रकरणम् ॥ ३ ॥

अर्थ यतिधर्मप्रकरणम् ॥ ४ ॥

संगतिमवसरह्तपामाह। वैखानसेति। वानप्रस्थेत्यर्थः । प्रस्तौति। अभिकरोति । प्रारभते। तान्वकुमादावधिकारिनिह्नपयतीति यावत्।

याज्ञवल्कीये ५६।५७ श्लोकौ।

9५ वनान्मोक्षे इत्यंशं व्याचष्टे। यावतेत्यादि । तपः प्रागुक्तकुच्छ्रचांद्रायणादि । शोषितेति । 'शोधितेति' पाठांतरं । कषायो रागः । तात्पर्यार्थमाह । पुनश्चेति । दूरांतिकार्थेरिति पंचमीत्याह । तत्समेति । ननु वनादिशब्दस्यान्यार्थकतया प्रसिद्धेः कथमुक्ताद्यर्थठामोऽत आह । वनेत्यादि । प्रकरणादिनेति भावः । 'तत्संबंधाश्रमौ ठक्ष्येते' इति पाठः । अन्यथापाठे तु जातावेकवचनम् । ठक्षणाबीजं तु स्पष्टमेवोक्तं । तद्दिना तदसंभवादाह । मोक्षेति । ठक्ष्यत इत्यस्यायेऽनुषंगः । गृहाद्दा , २० मोक्षे इत्यंशं व्याचष्टे । अथवेति । समुखयपक्ष इति । मनुरपि (६।८६-९७)।

"एष धर्मोऽनुशिष्टो वो यतीनां नियतात्मनाम् । वेद्संन्यासिकानां तु कर्मयोगं निबोधत ॥ "ब्रह्मचारी गृहस्थश्च वानप्रस्थो यतिस्तथा । एते गृहस्थप्रभवाश्चत्वारः पृथगाश्रमाः ॥ "सर्वेऽपि कमशस्त्वेते यथाशास्त्रं निषेविताः । यथोक्तकारिणं विप्रं नयंति परमां गृतिम्।। "सर्वेषामि चैतेषां वेदस्पृतिविधानतः। गृहस्थ उच्यते श्रेष्ठः स त्रीनेतान्बिभितिं हि ॥ "यथा नदीनदाः सर्वे सागरे यांति संस्थितिम् । तथैवाश्रमिणः सर्वे गृहस्थे यांति संस्थितिम् ॥ "चतुर्मिरिप चैवैतैनित्यमाश्रमिभिद्धिनैः । दश्रुकक्षणको धर्मः सेवितव्यः प्रयत्नतः ॥ "यतिः क्षमा दमो स्तेयं शौचिमिद्रियनिग्रहः । धीविद्या सत्यमकोधो दशकं धर्मकक्षणम् ॥ "दश्र कक्षणानि धर्मस्य ये विप्राः समधीयते । अधीत्य चानुवर्तते ते यांति परमां गितिम् ॥ "दश्रुक्षणकं धर्ममनुतिष्ठन्समाहितः । वेदांतान्विधिवच्छुत्वा संन्यसेदनृणो द्विजः ॥ "सन्यस्य सर्वकर्माणि सर्वदोषमपानुदन् । नियतो वेदमभ्यस्य पुत्रैश्वर्यं सुसं वसेत् ॥ "एवं सञ्यस्य कर्माणि स्वकार्यपरमोऽस्यृहः । संन्यासेनापक्वत्यैनः प्राप्नोति परमां गतिम् ॥ "एष वोऽभिहितो धर्मो ब्राह्मणस्य चतुर्विधः । पुराणोऽश्लयफ्ठः प्रेत्य राज्ञो धर्म निबोधतेति" ॥ तृतीयं पक्षमाह । तथेति । गाईस्थ्यादितस्योराश्रमयोर्वानप्रस्थसंन्यासयोरित्यर्थः । ब्रह्मचर्ये तु सर्वमूलभूतमस्त्येवेति भावः ॥

व्यवस्थामाह । एषां चेति । उक्तक्रमेणाह । समुच्चयेति । वाधिनरासायाह । श्रुतीति । ५ इच्छयेति । अधिकारेच्छयेत्यर्थः । तथा च व्यवस्थितिवकल्पः । नान्यतमेनापरबाध इति भावः । अतः उक्तरीत्या । निर्वाहात् तत्साफल्यमाह । गार्हस्थेति । स्वाध्यायेति । वेदाध्ययनामावमूलकमित्यर्थः । दोषांतरमाह । किंचेति । ननु को वाऽत्राधिकारी यदि इच्छया विकल्पोऽत
आह । अस्मिश्चेति । तथेति समुच्चये । यथासंख्यमन्त्रयः । ब्राह्मणस्य नैष्ठिकस्यैव । ननु
मानवे इतोऽप्युपक्रमे द्विजपदं श्रूयते मध्ये च उपसंहारे च । तथा हि (६।३३,३४,३६,३७) १०

"वनेष्वथ विहत्यैवं तृतीयं भागमायुषः । चतुर्थमायुषो भागं त्यक्त्वा संगान्परिवजेत् ॥ "आश्रमादाश्रमे गत्वा हुतहोमो जितेंद्रियः । भिश्नाविष्ठपरिश्रांतः प्रवजन्प्रेत्य वर्द्धते ॥ "अधीत्य विधिवद्देदान्पुत्रांश्चोत्पाद्य धर्मतः । इष्ट्वा च शक्तितो यज्ञैर्मनो मोक्षे निवेशयेत् ॥ "अनधीत्य द्विजो वेदाननुत्पाद्यैव चात्मजान् । अनिष्ट्वा चैव यज्ञैश्च मोक्षमिच्छन् वजत्यध ॥" इति ।

"यो देत्वा सेर्वभूतेभ्यः प्रवज्यत्यभयं गृहात्। तस्य तेजोमया लोका भवंति ब्रह्मवादिनः॥ "यस्मादण्विप भूतानां द्विजान्नोत्पचते भयम्। तस्य देहाद्विमुक्तस्य भयं नास्ति कृतश्चन॥ "आगारादिभिनिष्कान्तः पवित्रोपचितो मुनिः। समुपोदेषु कामेषु निरपेक्षः परिवजेदिति"॥ "अनेन कमयोगेन परिवजिति यो द्विजः। स विधूयेह पाप्मानं परं ब्रह्माधिगच्छति॥" इति।

"वेदान्तान्विधिवत् श्रुत्वा संन्यसेद्नृणो द्विजः ।" इति च । तथा च कथं तत इष्टार्थ-सिद्धिः । किंच तथा सित वानप्रस्थपकरणे उपक्रमे द्विजपद्सत्वेऽिष उपसंहारे "विप्रो वने २० वसन्" विप्रो ब्रह्मलोके महीयतेति द्विजस्तथोकोपकमत उपसंहारस्य प्रावल्येन तत्राप्यतिप्रसंगोऽत आह । ब्राह्मणा इति । मात्रं कार्त्ये । एवं सिद्धांतमुक्त्वैकदेशिमतमाह । अन्ये त्विति । सूत्रमाह । त्रयाणामिति । अपरार्केऽिष

"अण्जयमपाक्कत्य निर्ममो निरहंकुतिः। ब्राह्मणः क्षत्रियो वाऽथ वैरुयो वा प्रवजेत् गृहादिति ॥"

धर्मविवृत्तावपि

24

"ब्राह्मणः क्षत्रियो वैरुपस्ततो गच्छेद्वनं कृती । संन्यसेद्वाऽथ वा शांतः सर्वभूतद्यापरः ॥" इति।
ननु क्षत्रियादेरेतान्निषेषपराण्यपि वाक्यानि वश्यमाणानीति तेषां का गतिरिति चेत्
उच्यते "अवाधेनोपपत्तौ वाधो न न्याथ्य" इति न्यायेन श्रुतिस्मृतिविरोषपरिहाराय विधिवाक्यानामाश्रमस्त्पाविधौ तात्पर्यं निषेधवाक्यानां तु दंडादिग्रहणमात्रनिषेधे तात्पर्यं । तस्मात्क्षत्रियादेरपि तन्मात्रनिषेधो नाश्रमनिषेधः । एवं च ब्राह्मणपदमात्रघटितानि वाक्यान्यप्युपलक्षणपर- ३०
तया ब्रह्म वेदस्तिन्निष्टस्तद्घ्ययनवान् ब्राह्मण इति व्युत्पत्तिपरतया वा नेयानीति न कोऽपि विरोधः ।

उक्तश्रुतौ तु बहुवचनादायर्थहाभोऽपि सुवच इत्येतन्मततात्पर्यम् । अत्रान्ये त्वितीत्यनेनारुचिः सूचिता । सा चेत्थम्

"श्रुतिस्मृतिविरोधे तु श्रुतिरेव बलीयसी । अतः श्रुत्यनुसारेण व्यवस्था च विधीयते ॥"

इत्युक्ते "ब्रीह्मणः प्रवजिति" श्रुत्या ब्राह्मणत्वजातिप्रवृत्तिनिमित्तिकृ ब्राह्मणशब्द्बोध्यः प्रवजिति अवस्या विधीयते । हिक्सियत्ववदु हेश्यिवशेषणस्याविविक्षितत्वेऽपि हिवर्वत् ब्राह्मणत्वस्यो हेश्यस्य विविक्षितत्वात् । न चोपळक्षणत्वं मानाभावात् । न च बहुवचनात्तद्र्धळाभः । ब्रह्मचर्याबाश्रमभेदिमिन्नानां त्रयाणां संग्रहेण तस्य साफल्येऽन्यथानुपपत्यभावेनागतिकगत्याश्रयणस्यायुक्तत्वात् । न चोक्तव्युत्पत्या त्रयाणामपि ग्रहाणां "क्रिट्योगमपहरतीति" स्यायेन सकळळोकनतंत्रप्रसिद्धबाह्मणत्वजातिमात्रार्थस्य त्यागे मानाभावाद्न्यथा गण्डाति गौरिति व्युत्पत्त्या तेना
• न्यस्यापि तादृशस्य ग्रहणं । यतस्तस्मात्क्षित्रियादिशब्द्ववद्यमपि तथैवेति तत्रैव श्रुतितात्पर्यं इति तस्यैवाधिकारः । अत एव दत्तात्रेयोऽपि

''मुखजानामयं धर्मो यद्विष्णोर्लिंगधारणम्।बाहुजातोरुजातानाम्यं धर्मो न विद्यते "॥ इति

"गतिस्तुर्याश्रमे प्रोक्ता मुखजाना स्वयंभुवेति" च छिंगधारणनिषेधमात्रपरत्वं तु नास्य युक्तम् । आश्रमसत्वे तिष्ठिंगामावस्यान्यत्रादृष्टत्वात् गत्यंतरसंभवे तथा कल्पनानौचित्याच । अभ धर्मविवृताविप

''संन्यसेत् ब्राह्मणः सम्यक् वानप्रस्थो भवेन्द्रपः । वानप्रस्थो भवेद्वैश्य एवं वर्णक्रमः स्मृतः ॥" इति ।

अस्यापि प्रागुक्तरीत्याऽर्थातरकरणं तु तत एवायुक्तम् । एतेन "जायमानो वै ब्राह्मण" इतिवदत्रापि श्रुतौ ब्राह्मणशब्दक्षेवर्णिकपर इत्यगस्तम् । ब्रह्मचेंपणेत्यादिवाक्यशेषस्यैवात्र कस्यचिद्धमकास्याभावात् रुब्धात्मिकीया रूढेः प्रावल्याच । अनुपपत्तेरभावेन रुक्षणाया असं
*• भवाच । नन्वेवमुक्तस्मार्तवचनानां का गतिरिति चेत् शृणु । अप्रमाणानि तानि । " आँदुंबरी सर्वा वेष्टयितव्येति"वदिति केचित् । अन्ये तु अपराकोंक्तस्मृत्यंतरस्य प्रवजेदित्यस्य वान-प्रस्थाश्रमं गच्छेदित्यर्थः । यद्यपि प्रवज्याशब्दस्य संन्यासे रुद्धिस्तथापि तिङ्तस्यान्यत्रापि प्रयोन्गात् श्रुत्यविरोधार्थत्वाचात्र एवमेवास्यापि वैराग्यहेतुकत्वात् इत्याहुः । अपरे तु यदा "ब्राह्मणः स्ववृत्त्या जीवन् क्षत्रियवृत्तिमाश्रितवान् तयाऽप्यजीवन्वैश्यवृत्तिं ततस्तामापदं निस्तीर्यापि न तां स्पन्यति किंतु तत्रैवावास्थित" इति तत्पदं वाच्यो भवति तद्भिप्राधकं । तत एतत्प्यूचनार्थमेवाथ शब्दः । तेन तत्त्वदानंतर्यप्रतिपादनादित्याहुः । एतेन धर्मविवृत्त्वचनं छंदोगस्त्रं च व्याख्यातम् अत्ये यथोचितमित्यध्याहारेणापि निर्वाहः । एवं मनुदन्तात्रेयवचनानुकल्पमपि बोध्यम् । एवं रीत्या अन्यान्यपि विरुद्धवचनानि व्याख्येयानि ।

" शिखायज्ञोपवीतानां त्यागपूर्वेकदंहयुगिति" ब्रह्मांडपुराणस्थवचनमपि छंदोगसूत्र
क. समानार्थम् । यज्ञु जडभरतं प्रति पैंगिरहस्योपदेशो "यदि मृत्योः परं शांतमनागयं शाश्वतं पदिमिच्छुरसि तत्परमहंसो भवेति" तत्रापि परमहंसो निर्मरणो भवेत्यर्थः । प्रैषोच्चारेण पूर्वकमाश्रम
ग्रहणं तस्य हि कापि न श्रुतम् । या च जाबाछश्चितिर्जनकयाज्ञवल्क्यसंवादे तत्र
"परमहंसका नाम संवर्तकारुणिश्वेतकेतुद्रवीसासौभरिमुनिदाल्ज्यजडभरतदत्तात्रेयरैक्तकप्रभृतय"

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इति तत्रापि अहंकारममतयोरभावात्परमहंससादृश्येन परमहंसा इति व्यपदेशस्तस्मात्सिद्धं ब्राह्मणस्यैवाधिकार इति दिगिति । अथाग्रिमं व्याच्छे यदेत्यादिना । वेदस् शब्दो धनपर्याथः । मि. पृ. २००. कर्मधारयात्तस्येदमित्यणित्याह । सर्वधनेति । आदिना पित्रादिपरिग्रहः । वनांशे फळाभावादाह । अनेनेति । "वनादृहाद्दे"त्युक्तेः फळमाह । यदा त्विति । तत्र प्रजोत्यादनाद्दे । ननु सोऽपि अस्तु तस्यात आह । रागेति । नियमेति । रागपाप्तत्वादेव तस्य नियम- ५ विधित्वमिति भावः । अन्येति । रागेत्यर्थः । तस्य विधेः । इति श्रुतिरिति शेषः । मात्रं कात्त्रन्ये । एवं च दारपरिग्रहोऽप्यावश्यक इति भावः । देवांशे दोषमाह । यज्ञादिष्विति । तर्धुक्तश्रुतेः का गतिरत आह । तस्मादिति । न तृत्यत्तिमात्रेण जायमानत्वमिति भावः । तस्य श्रुतिवाक्यस्य । अत एव कण्वभीष्मादीनां सद्गतिरिति बोध्यम् । उपसंहरित । अतश्रेति । प्रवेन तद्यवच्छेदः ॥ ५६ ॥ ५७ ॥

याज्ञवल्कीये ५८ श्लोकः।

तस्य तु उदासीने कर्तन्याभावादाह । पियापियेति । हितस्वस्याप्यर्थधर्मस्वादाह । उदिति । यथाक्रममाहिताहितेति । अनारंभीति । ताच्छील्ये णिनिः । अविनिगमकत्वादाह । बाह्योति । त्रय इति । तिद्धतार्थे द्विगुः । इद्मुपळक्षणमित्याह । एकं वेति । एतदिभिप्रायक एव मतुः (१२।१०)

"वाग्दंडोऽथ मनोदंडः कर्मदंडश्च ते त्रयः । यस्यैते नियता दंडाः स त्रिदंडीति कथ्यते"॥ इति । कात्यायनेन सामान्यतः सर्वाश्रमिणां सदा यज्ञोपवीतघारणस्मरणादाह । यज्ञोपेति ।

उपलक्षणत्वादेवान्यद्प्याह । तथेत्यादि । पुत्रदारमिति समाहारद्वंद्वः । प्राधान्यात्य्यगुक्तिः । वेदश्च अंगानि च । कमंडल्वादिमात्रांतद्वंद्वस्य सहेन समासः । अथायिमं व्याचष्टे । शौचेति । एक एवारमते इति व्युत्पत्तेराह । प्रवेति । एकासम इत्यत्र संमतिमाह । तथा चेति । यथोक्तः रे॰

मि. पृ. २०१ स्वोक्तधर्मविशिष्टः । द्वौ मिथुनमेव स्मृतं । पैशून्यं मात्सर्यमिष । संबंधात् भवत्यत्र न संशय इत्यर्थः । सुस्रेति सुस्रजनकं चेत्यर्थः । यथासंख्यमन्वयः । अविरोधाया
क्षात्रेति । अत एव स्मृत्यंतरं

"एकाक्षरं परं ब्रह्म प्राणायामः पर तपः । उपवासात्परं भेक्षं दया दानाद्विशिष्यत॥"इति । तत्र विशेषमाह । वर्षेति । वर्षाभ्योऽन्यत्रेति पूर्वान्वयि । वर्षासु तु मात्स्येऽपि
"अष्टो मासान् विहारः स्यानमुनीनां संयतात्मेनाम् । एकत्रिचतुरो मासान् वर्षिकान्निवसेत्पुनः ॥
"अविमुक्ते प्रविष्टानां विहारस्तु न विद्यते । न देहो भविता तत्र दृष्टं शास्त्रे पुरातनैः॥" इति । ५८॥

याज्ञवल्कीये ५९ श्लोकः।

असंकिल्पतानीति । अमनोनिश्चितानीत्यर्थः । सिद्धांतमूतपंचधाविभागेनाह । अह इति । विधूम इत्यादिबहुवीहिणा कालविशेषपम् । सन्नं निष्ठतं मुसलं तदाघातो यत्र । मुक्त- ३० वाजनो यास्मिन् । शरावाणामुन्छिष्टपात्राणां संपाते भूमौ त्यागे । वृत्तेऽतीते । अत्र यथासंभवं समुख्यो विकल्पो वा बोध्यः । अत एव वक्ष्यमाणसंगतिः । मनुमेवाह । तथा एकेति । अत्र सिक्षान्तरणकार्यस्य भोजनस्यैककालताः विधीयते । न तु भैक्षान्वरणस्यैव । दिभौजननिषेधात् ।

ं वानप्रस्थधर्म-_• याज्ञवल्कीये

अन्यया एककालमिक्षाचरणोऽपि स्थापितशेषेण द्वितीयभोजनसंभवस्तदाह । न प्रेति । द्वितीयभोजनार्थतया हि विस्तरः प्राप्नोति । तत्रेष्टापत्तौ दोषांतरमप्याह । भैक्षेति । तद्विषयेऽतिप्रसक्त इत्यर्थः । हि यतः । ज्योतिर्नक्षत्रादि । ज्ञानं चात्मनः । तयोरुपदेशादिना । उत्पातो विव्यादि- र्धूमकेत्वादिः । निमित्तं ग्रहस्थित्यादि । नक्षत्रविद्या 'अय क्रुत्तिके'त्यादि । अंगविद्या ५ हस्तलेख्यादि । अनुशासनं राज्ञस्तत्पक्रतीनां चैवं वर्तितुं युक्तमित्यादि । वादोऽभिमानहेतुकः शास्त्रार्थविप्रतिपत्तौ साधनदृषणायुपन्यासः । तेनैव मनुनैव । विरोधं मूलस्य "सायाह्ने" इत्यस्य "एककालमिति" मनोश्च परिहरति । यत्पुनरिति । यतिपरत्वेऽन्येषामपि तदैवं संचारादसंगितं परिहरति । योगेन भिक्षणेति । वयोभिः पक्षिभिः। आकीर्णं यत्र बहवोऽन्नलोभार्थं मिलिता- स्तत् गृहं । यात्रा रक्षणं संपत्तिः । मुनिर्मनःशीलः ॥ ५९ ॥

याज्ञवल्कीये ६० श्लोकः।

मि. १. २०२ शुद्धिशब्दो लाक्षणिक इत्याह । शुद्धिसेति । प्रयोगांगेत्यनेन शुद्धापेक्षा सूचिता । नामेध्येति तद्दुपहतिविषया नेत्यर्थः । तद्दुपेति अमेध्याशुपहते त्वित्यर्थः । यदा भिक्षा-चरणादिकं कर्म किष्यमाणस्तदा तत्कर्मोपयुक्तमृदादिपात्राणि गोवालैरवघृष्य प्रक्षाल्य तत्कर्म कुर्यादिति तत्तात्पर्यम् । अतैजसानि अधातुमयानि ।

१५ "नाभिनंदेत मरणं नाभिनंदेत जीवितम् । कालमेव प्रतीक्षेत निर्वेशं भृत्यको यथा॥ "अभिवादांस्तितिक्षेत नावमन्येत कंचन । न चेमं देहमाश्रित्य वैरं कुर्वीत केनचित्" ॥ इत्यादि भानवे (६।४५,४७)। स्पष्टम् । नियुक्तार्थलाममाह । चमस्रेति । प्रायोगिकी तदंगभूता । तदंगरोन ततः पूर्व कियमाणत्वेनैव प्रायोगिकत्वं । मात्रया यतिविषये किंचिल्लिस्यते । तत्र तावद्यतयश्चतुर्धा । कुरीचकबहूदकहंसपरमहंसभैदात् । तदुक्तं विष्णुस्मृतौ

"चतुर्धा भिक्षयेद् भिक्षां कुटीचक्रबहृदके। हंसः परमहंसश्च श्रेयश्चेषां यथोत्तरम्॥
"एकदंडी भवेद्दाऽपि त्रिदंडी वाऽपि वा भवेत्। त्यक्त्वा सर्वक्षसं स्वादं पुत्रैः स्वर्गसुसं रमेत् अ
"अपत्येषु वसेन्नित्यं समस्त्वपकृतं त्यजेत्। नान्यदृहेषु भुज्जीत मुंजानो दोषभाक् स्मृतः॥
"कामं क्रोधं च लोमं च त्यजेद्दात्सल्यमेव च। कुटीचकस्त्यजेत्सर्वं पुत्रार्थं चैव सर्वतः॥
"भिक्षाटनादिकं सर्वं यतिः पुत्रेषु सन्यसेत्। कुटीचक इति ज्ञेयः परिवाजकबान्धवः॥
"त्रिदण्डो गुरवे चव मिक्षाधारं तथैव च। सूत्रं तथैव गृह्णीयान्नित्यमेव समाहितः॥
"प्राणायामेऽपि चरतो गायत्रीं सततो जपेत्। विश्वक्षपं हरेन्नित्यं तथा च विजितेदियः॥
"इन्द्रियाणि मनश्चैव हर्षे हंसो विधीयते।

"कुच्छ्रेश्चांद्रायणैश्चेव तुलापुरुषसंज्ञकैः । संतोषो यस्य देहेषु आकांक्षन् ब्रह्मणः पद्र ॥ "यज्ञोपवीतं दंडं च वस्त्रं यच्च निषेवते । अपां परिग्रहो नान्यो हंसस्य परिचोदनात् ॥ "आत्मा दृष्टसमायुक्तस्त्यक्तसर्वपरिग्रहः । चतुर्थोऽयं महान् तेषां धान्यभिक्षस्दाहृतः॥

१ रद-अन्यथा एककालमिक्षाचरणस्यैव द्विभौजननिषेधात् ।

"त्रिदंडं दंढिकाश्चेव सर्वाप्येककपालिकम् । जन्तूनां वरणं वस्त्रं सर्वं मिश्चरिदं त्यजेत् ॥ "कौपीनाच्छादनार्थे तु वासो मिक्षा परिग्रहम् । कुर्यात्परमहंसस्तु दंडमेकं च धारयेत्॥" इति हारीतश्च

"कुटीचको बहूदको हंसश्चेत्र तृतीयकः । चतुर्थः परमो हंसो यो यः पश्चात्स उत्तमः ॥" तदुक्तं निर्णयसिंधौ (ए. ६९१)

"आदाः पुत्रादिना कुटी कारियत्वा तत्र गृहे वा वसन्काषायवासाः शिखोपवीतित्रदंडवान्बंधुषु स्वगृहे वा भुंजान आत्मज्ञो भवेत् । एतद्दत्यंतार्शकपरम् । द्वितीयस्तु बन्धून्हित्वा सप्तागाराणि भेक्षं चरन्पूर्वोक्तवेषः स्यात् । हंसस्तु पूर्वोक्तवेषोऽप्येकंदंडः "एकं तु वैणवं दंडं धारयोन्नित्यमादरा-दिति" स्कानदात् । विष्णुरिप

"यज्ञोपवीतं दंडं च वस्त्रं जन्तुनिवारणम् । तावान्यपरिग्रहः प्रोक्तो नान्यो हंसपरिग्रहः ॥" ^९ चतुर्थोऽपि स्कांदे

"परमहंसिखदंडं च रञ्जुं गोबालिनिर्मिताम्। शिखां यज्ञोपवीतं च नित्यं कर्म परित्यजेत्" ॥ अयमप्येकदंड एव । ये तु शिखोपवीतादित्यागनिषेधास्ते कुटीचकादिपराः । यज्ञ मेधातिथिः "यावन्नरयुस्रयो दंडास्ताबदेकेन वर्तयदिति" तद्पि तत्परमेव । यच्चात्रिः "चतुर्धा भिक्षवः प्रोक्ताः सर्वे चैव त्रिदंडिन" इति तद्वाग्दंडादिपरं न यष्टिपरं ।

"वाग्दंडोऽथ मनोदंडः कर्मदंडस्तथैव च । यस्यैते नियता दंडाः स त्रिद्ण्डीति चोच्यते ॥" इति मनूक्तः (१२।१०)। तस्मात्परमहंसस्यैक एव दण्डः । सोऽप्यविद्धः । विद्धपस्तु स्रोऽपि नास्ति । "न दण्डं न शिखां नाच्छादनं चरति परमहंसः" इति महोपनिषदोक्तेः । ज्ञानमेवास्य दंड इति वाक्यशेषाच । यनु यमः

"काष्टदंडो घृतो येन शर्वाशी ज्ञानवर्जितः। स याति नरकान्घोरान्महारौरवसंज्ञितानिति ॥" २० तद्वेराग्यं विना जीवनार्थं संन्यासपरम्।

"एकदंडं समाश्रित्य जीवन्ति बहवो नराः । नरके रौरवे घोरे कर्मत्यागात्पतन्ति ते ॥" इति स्मृतेः । यञ्चाश्वमेधिके

"एकदंडी त्रिदंडी वा शिली मुंडित एव वा। काषायमात्रसारोऽपि यतिः पूज्यो युधिष्ठिरेति॥" तस्यापि पूर्वोक्ता व्यवस्था ज्ञेयोति ।

ननु भवत्वेवं चातुर्विध्यं । परंतु संन्यासपदार्थः क इति चेत् । अत्र याज्ञवल्कयः(प्रा.५६) "वनात् गृहाद्दा कृत्वेष्टिं सार्वेवेदसदक्षिणम् । प्राजापत्यं तदंते तानग्रीनारोप्य चात्मनि ॥ "अधीतवेदो जपकृत्युजवानन्नदोऽग्रिमान् । शक्त्या च यज्ञकृत्मोक्षे मनः कुर्यात्तु नान्यथा"॥

एतदाश्रमसमुचयपक्षे। जाबालश्रुतौ त्वन्येऽपि पक्षा उक्ताः ''यदि चेतरथा ब्रह्मचर्यादेव प्रवृजेद्गृहाद्दा। अय पुनरवती वती वा स्नातकोऽस्नातको वोत्सन्नाग्निरनग्निको वा यदहरेव ३० विरजेत्तदहरेव प्रवजेदिति"। आंगिराः

"प्रविजेद्बह्मचर्याद्दा प्रविजेच गृहाद्पि । वनाद्दा प्रविजेद्दित्नातुरो वाऽथ दुःसितः ॥"इति । आतुरो मुमूर्षुः । दुःसितश्चौरच्याद्यादिभीतः । एवं च सर्व त्यक्त्वाश्रमादनाश्रमाद्दाऽऽश्रमं गच्छामीति संकल्पप्रैषोच्चारणाभयदानानि मुख्यसंन्यासः । यथा चैतत्तथाऽस्पष्टमुपनिषदि । नांदी- 94

मुसादिदंडग्रहणांतः कियाकछापोऽस्यांगभूत एव। एवं चोक्तसंकल्पाद्यतिरिक्तं दंडग्रहणादि कृता-कृतं वेदितन्यम् । अत एवातुरस्य संकल्पादिमात्रात्फलं श्रूयते जाबालोपनिषदि । "मदातुरः स्यान्मनसा वाचा संन्यसेदेष पंथा ब्रह्मणहां नु वितस्तेनौति संन्यासी ब्रह्मविदित्येवमेवैष भगविन्निति।" अत्रातुरत्वेनोभयोः संग्रहः । स्मृतिरिप

''सन्यस्तमिति यो ब्रूयात्प्राणैः कंठगतैरपि । स भित्वा मंड्ळं'भानोः परं ब्रह्माधिगच्छति ॥" अत्रिर्भारते

"आतुराणां च संन्यासे न विधिनैव च किया। प्रेषमात्रं समुचार्य संन्यासं तत्र पूरयेत्" ॥इति। दत्तात्रेयः

"उत्पन्ने संकटे घोरे चोरव्याब्रादिगोचरे । भयभीतस्य संन्यासमंगिरा मुनिरब्रवीत् ॥" स्मृतिरिव

"आतुराणां विशेषोऽित न विधिनैं च क्रिया । प्रेषमात्रस्तु संन्यास आतुराणां विधीयते ॥
"आवरकाले च संन्यातः कर्तव्य इति शिष्यते । जरया हि परीतेन शत्रुभिव्याधितेन च ॥
"संन्यस्तोऽहमिति ब्रूयात्सवर्णेषु त्रिषु कमात् । त्रीन्वाराश्च त्रिलोकात्मा शुभाशुभाविशुद्धये॥
"यर्तिकचित् बाधकं कर्म कुतमज्ञानतो मया । प्रमादालस्यदोषायत्तत्मर्वं संत्यजाम्यहम् ॥
"एवं संत्यज्य भूतेभ्यो द्याद्नयद्क्षिणाम् ।

''पद्भ्यां कराभ्यां विहरन्नाहं वाक्वायमानसैः। करिष्ये प्राणिनां हिंसां प्राणिनः संतु निर्भयूाः॥" इति। अंगिराः

''षष्टिं कुळान्यतीतानि षष्टिमागामि कानि च । कुळान्युद्धरते प्राज्ञः संन्यस्तमिति यो वदेत् ॥ , ''एकरात्रोषितस्यापि यतेर्यो गर्तिरुच्यते । न सा शक्या गृहस्थेन प्राप्तुं ऋतुशतैरपि ॥

"संन्यस्तमिति यो ब्र्यात्प्राणै: कंठगतैरिप । ल तत्कतुशतेनापि प्राप्तुं शक्नोति मानवः ॥ "
 कपिछः

"संन्यस्तमिति । सोक्षेपाष्ठभते लोकान्युनर्जन्म न विद्यते" । मनुः (६।३९)
यो दत्वा सर्वभूतेभ्यः प्रवज्ञत्यभयं गृहात् । तस्य तेजोमया लोका भवंति ब्रह्मवादिनः ॥"इति ।
अत्रमात्रचापद्यविलंबित आतुरस्तदा प्रेषौचारणमेव कार्यं न संकल्पाभयदानेऽपीति सूचि२५ तसः । एवं च स एव मुख्यसंन्यासः । अन्यत्तु यथासंभवं कार्यं । एवं चाहिताग्निनाऽपि ईहशे
विषये एवमेव कार्यम् । अन्यदा तु प्रायश्चित्तेष्टिं तत्स्थाने पूर्णाहुतिं वा कृत्वा तत् कार्यं । ततोऽन्यथाकरणे तु भयष्रष्टः पतितो भवेत् इत्यादि स्पष्टमन्यत्र ।

अथ तत्संस्कारः समृत्यर्थसारे

"सर्वसंगनिवृत्तस्य ध्यानयोगरतस्य च । न तस्य दहनं कार्यं नाशौचं नोदकिकया ॥"
पुलस्त्यः

"कुटीचकं तु प्रदहेत्पूरयेतु बहूदकम् । हंसं जले विनिक्षिप्य परहंसं प्रकारयेत् ॥ "सपिंडनादि नैवेषां सर्वेषां स्मृतिशासनात् । अहन्येकादशे प्राप्ते पार्वणं श्राद्धमाचरेत् ॥" अन्यत्र

''संन्यस्तानां मृते देहे नाशौचं नोदकिकया । पदे पदेऽश्वमेधस्य वाहकस्य फर्छं भवेत् ॥

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"विष्णुबुध्या परित्यज्य स्नात्त्वा गच्छेद्गृहं ततः । आशौचबुद्भचा स्नातश्चेदिश्चयंत्रं वजेन्नरः"॥ इति। वसिष्ठः

"चतुर्विधानं भिक्ष्णां ज्ञातिबंधुसुतादिभिः । एकाद्शेऽन्हि कर्तव्यं श्राद्धं तेषां तु पार्वणम् ॥ "एकोद्दिष्टं जलं पिंडमाशौचं प्रेतसिकयाम् । न कुर्यात्पार्वणादन्यद् ब्रह्मीभूतपरिवजे ॥" सुभंतुः

"मासिकं नैव कुर्वीत सिपंडिकरणं न च । औरसः क्षेत्रजो वाऽपि श्राता वा तत्सुतोऽपि वा । "कुर्योत्तु पार्वणं श्राद्धं शिष्यांतेवासिभूमिपाः । पिंडयज्ञं सुतः कुर्योद्दर्शश्राद्धं मृतेऽहिन ॥ "यतेर्महालये दर्शे तस्य वा मृतिवासरे । पार्वणं त्वितरेषां तु एकोद्दिष्टं तु वा भवेत् ॥"

स्कान्दे

"चतुर्थमाश्रनं गच्छेद् ब्रह्मविद्यापरायणः । एकदंडी त्रिदंडी वा सर्वसंगविवर्जितः ॥ "एकाद्शेऽह्मि संप्राप्ते यद्दा तु द्वाद्शेऽहिन । पार्वणेन विधानेन श्राद्धं कुर्यात्तदौरसः ॥ "नारायणबिलं कृत्वा पार्वणं श्राद्धमाचरेत् ।

"प्रत्यब्दे दार्शिकश्राद्धे तीर्थेष्विप महालये । संबंधनामगोत्रेणश्राद्धकालेषु नित्यशः॥" इति। यमः

"दंडमहणमात्रेण प्रेतत्वं नैव जायते । प्रेतत्वस्य विमोक्षार्थं षोडशश्राद्धिको विधिः ॥
"पिंडोदकं न चान्नादि क्षुनुष्णाविनिष्टत्त्वये । सिपंडीकरणश्राद्धं पितृत्वप्राप्तये विधिः ॥
"अवस्थात्रयहानानां यतीनां दादशेऽहिन । श्राद्धाधिकारसिष्यर्थ्यं पार्वणं तु सुतश्चरेत् ॥"
नामगोत्रसंबंधरूपावस्थात्रयप्रच्युतानां यतीनां पूर्वसंबंधनामगोत्रोहोसेन क्रियमाणप्रत्यब्द्दशीदिशाद्धेषुदेश्यत्वसिध्यर्थमित्यर्थः । शातातपः

"एकोहिष्टं जलं पिंडमाशौचं प्रेतसात्कियाः । न कुर्यात्पार्वणादन्यद् ब्रह्मीमूताय भिक्षवे॥" इति । र • उद्यानाः

"एकोहिष्टं न कुर्वीत यतीनां चैव सर्वदा । अहन्येकादशे प्राप्ते पार्वणं तु विधीयते ॥ "सिपंडीकरणं तेषां न कर्तव्यं सुतादिभिः । त्रिदंडमहणादेव प्रेतत्वं नैव जायते ॥" प्रचेताः

" (एकोहिष्टं यतेर्नास्ति त्रिदंडमहणादिंह । सिपंडीकरणाभावात्पार्वणं तस्य सर्वदेति ॥" २४ एवं च कुटीचकस्य दाहेऽपि तीर्थे भस्मास्थिपक्षेपांतं कार्यं नामे उक्तहेतोरिति स्पष्टं निर्णयसिंधौ ।

नन्वेवं भवतु उक्तस्थले उक्तवचनैरतथा आतुरस्थले तु दाहादिसर्वे स्यात् । वचना-भावात् । अंत एव दंडग्रहणात्पूर्वं मृते तु दाहादिसपिंडनांतं सर्वे विधिना कार्यमेवेति नारायण-भट्टोक्तिस्तथा निर्णयसिंधूकिश्च संगच्छते इति चेन्न । तथा सति तत्प्रतिपादकफलवोधक-प्रागुक्तसकलवचनानर्थक्यापत्तेः । अत एव दंडग्रहणादेव त्रिदंडग्रहणादेवेति उपलक्षणं प्रैषो- के चारणस्य । अत एवेवमात्रपदयोः सार्थक्यं मिथोऽविरोधश्च । अन्यथा दंडग्रहणस्य सर्वातत्त्वा-चदानर्थक्यं वचनयोमिंथोविरोधश्च स्पष्ट एव । एतद्मिप्रायैव नारायणभट्टायुक्तः । पोनस्कर्यं तु न । उपसंहारपरत्वात् । अत एव संन्यासिनां तत्र कार्यमसंन्यासिनां तु तन्नियमेन कार्य पुत्रादिभिः । प्रेतत्वविमोक्षार्थत्वात् । विपक्षे बाधकश्रवणाच्च । तथाहि

''यस्यैतानि न दत्तानि प्रेतश्राद्धानि षोडरा । पिशाचत्वं स्थितं तस्य दत्तैः ऋतुशतैरि ॥'' इति विज्ञानेश्वराशुक्तिः संगच्छते । अत एव शिष्टसमाचरोऽप्यनुगृहीतो भवतीति दिक् ॥ ६० ॥

याज्ञवल्कीये ६१ श्लोकः ।

उत्तरप्रकरणसंगत्यर्थमाहैबिमिति । ९वं कुर्वतः फठं कथयन्नित्यादिः । आत्मैपेति । वस्यमाणेत्यादिः । निरोधस्य सावधिकत्वादाह । ऋपादीति । वस्यमाणमाह । द्वैतेतिं ॥ ६९ ॥

याज्ञवल्कीये ६२ श्लोकः।

किंचेति । अन्यमिप नियमिवशेषमहित्यर्थः । एवमग्रेऽपि बोध्यम् । योगशास्त्रपरिभाषया

* आश्चार्योऽतःकरणम् । तच्छुःद्वेर्बीजमाह । विषयेति । साकांक्षत्वादाह । प्राणेति । तस्याः फलमाह । तस्या इति । ज्ञानं न यितंविदित्याह । आत्मेति । ज्ञानस्योत्पितं प्रतिनिमित्तत्वा- दित्यर्थः । ननु न तावनमात्रेण ज्ञानोत्पात्तिर्दश्यते अत उक्तं । स्वातंत्र्येति । स्वातंत्र्यं न प्रवृत्तिविषयविरोधादित्याह । एवं सतीति । अंतःकरणशुद्धौ सत्यामित्यर्थः । सक्तीति । सक्तिश्च तज्जन्यद्शेषाश्च । तदात्मकेत्यर्थः । भिश्चकेण यितना । विशेषत इत्यनेन.धर्मादिप्रधानाना- १५ मन्येषामिप तत्सत्ता सूचिता । धमायेति । अग्निसंयुक्तानामित्यर्थः । दोषा विप्रपद्शीनप्रीत्या- दयः ॥ ६२ ॥

याज्ञवल्कीये ६३।६४ श्लोकौ ।

संगतिमाहेंद्रियेति । वैराग्येति । इंद्रियनिरोघार्थमित्यर्थः । आदिना विहिताकरणादि । अवेक्ष्या इत्यस्याग्रेऽप्यनुषंगो यथासंभवम् । अविद्यादयो व्याख्याताः प्रारंभे । अभीति २० तेनाक्रमणह्मप इत्यर्थः । अयं जरापदार्थः सहस्रशब्दोऽनंतपर इत्याह । तथा श्वेति । प्रियेति व्याचष्टे । तथेति । तात्पर्यार्थमाहेत्यादीति । अनेन मूळमुपळक्षणामिति सूचितं ।

तस्याप्यर्थमाहाऽऽत्मैकेति । तस्या एव । वित्तवृत्तेरेव । एवं च ध्यानरूपो योग मि. ५ २०३ इत्यर्थस्तदाह । निदीति । आदिनेद्रियादिपरिग्रहः । क्षेत्रज्ञः जीवः । वाक्यार्थस्यात्र कर्भत्विमित्याह । इत्येविमिति । अत एव निदिध्यासनस्य दर्शनसाध्यत्वादेव । २५ इतीति । इति विहितेत्यर्थः । पुरोवर्तित्वादेव तस्य तस्त्वामिति भावः ॥ ६३ ॥ ६४ ॥

याज्ञवल्कीये ६५ श्लोकः।

प्राक्तनेति । अन्यवहितेत्यादिः । हेरथीं यस्मादिति । तदर्थीऽसाविति । तात्पर्यार्थ-माह । यातीति । अत इत्यपरार्थस्तस्मादिति । अविरोधायाह । अनेनेति । पद्येनेत्यर्थः । आपोति तत्कारकत्वेनेत्यर्थ । तस्यापि । आश्रमस्यापि । मूठार्थे संमतिमाह । तदुक्तिनिति । ३. दूषितोऽपि कटकाद्याभरणैः । धर्म यतेर्यद्विहितमात्मोपासनादि तचरेत् । यत्र तत्र कुत्र-

१ इदमसभीचीनम् । दूषितोऽपि आश्रमाविरुद्धाचारदूषितोपि इति युक्तम् । सूषित इति पाठस्य सर्वा विरुद्धथत्वाद्।

चिदाश्रमविहितमपि धर्म चरेत् त्रिदंडादिलिंगधारणमात्रेणात्मानं क्वतिनं न मन्येतापि तु 'समः सर्वेषु भूतेषु स्यात्'। रागद्वेषादिपरिहरेदित्यर्थः ॥ ६५ ॥

याज्ञवल्कीये इइ श्लोकः।

अनपकारिण्यसंभवादेवाहापेति । आदिना शरीरं । प्रचेति प्रचितमुद्धिमं यचितं तस्येत्यर्थः । संयतेद्वियतायाः पृथगुक्तेराह । मदेति । प्रतिषिद्धे प्रतिषेधादेवाप्रवृत्तिरत आह । ५ अप्रतीति । अयं सर्वः प्रागुक्तो धर्म एव धर्मसाधनत्वादुदाहृतः । शास्त्रे कथित इत्यर्थः । तात्पर्याध-माहैतैरिति । तस्यापि तात्पर्यमाह । अनेनेति । धारणरूपं यद्वाद्यन्तस्रणं तस्मादित्यर्थः ॥ ६६ ॥

याज्ञवल्कीये ६७ श्लोकः ।

तत्त्वे बीजमाहाऽऽत्मेति । नेदं परमार्थत इत्याह । यद्यपीति । अस्य श्लोकस्य प्रधानांशोपपादकत्वसंभवे प्रधानांशमात्रोपपादकत्वं न युक्तमत आह । यद्वेति । क्षेत्रहोति । १०

मि. ए. २०४. जीवानामित्यर्थः । नन्धेवं वेदानुपपादनात्कथं दृष्टांतसंगतिरत आह । तैजसस्येति । ॥ ६७ ॥

याज्ञवल्कीये ६८ श्लोकः।

कर्मवशादिंयुक्तमत्युक्तमिति शंकते । नतु चेति । क्रियाभाव इत्यत्राकारप्रश्लेषः । धर्मेति । तयोरध्यवसायो निश्चयस्तदात्मकमित्यर्थः । नन्वेवमिप तदनुपयोग्येवात आह । तस्य १५ चेति । उक्तमानसकर्मण इत्यर्थः । विशिष्टेति । विजातीयत्यर्थः । वाक्यार्थमाहैविमिति । समस्तं तत्र जन्मनीत्यादिः । आत्मेत्यंतं । स्वर्थमाहैवेति । तस्य व्याख्यान्वयेति । तस्यैव विवरणं स्तन्येति । तिर्हे क्यं प्रवृत्तिरत आह । प्रागिति । भाविता निष्पादिता । अनुभाव उद्घोधः । धर्मश्चाधर्मश्च तदुभयं च तद्र्पमित्यर्थः । चरमे संमतिमाह । तथा चेति । उपसंहरति । एवमिति । ॥ ६८ ॥

याज्ञवल्कीये ६९ श्लोकः।

एवं सित । तत एवप्रभवे सित । कथंचिदुपाधितः । तस्य च ब्रह्मणः । इति । इत्यादि । सत्यमिति । अजातेऽस्यान्वयः । तदुक्तानुवादस्तावानमे समाधिः । प्रपंचो विस्तारः । निमि त्तराब्दः कारणमात्रपर इत्याह । अधिद्योति । तत्तात्पर्यमाह । न पुनरिति । तत्राप्रमं हेतुगर्भमित्याह । यस्मादिति । अप्रेऽप्येवमेवेत्याह । निन्वत्यादिना । मोहक्तपस्य विकारस्य । व्यादेः । एतेन सांख्यमतिरासः । अप्रेऽप्येवमित्याह । यस्मादिति । आदिना कर्मपरिग्रहः । एवमन्वयमुलेनोक्तदाद्वर्याय व्यतिरेकमुलेनाह । न द्यति । उपसंहरित । तस्मादिति । वृहबृहि वृद्धौ । नन्वेमप्यगुणस्य कथं कर्तृत्वमत आह । न चिति । पतावता तच्छिकसंबंधावरुयकत्वेन । ताद्वगिति तस्यास्ताहक् क्तपत्वे इत्यर्थः । वचनीयं वाच्यम् । प्रागुक्तमुपसंहरिते । तस्मादिति । पूर्वपक्षस्यैवानुवादः । अत इति । समाधते । ३० मि. प्र. २०५ तथापीति । ननु तदेव कथामित्यत आह । शरीरेति । सर्गादावि-

त्यस्यार्थ: ॥ ६९ ॥

याज्ञवल्कीये ७० श्लोकः।

सृष्टीति । भवन्निति । अवस्थांतरयोगितयेति भावः । तान् आकाशादीन् । अत्रा-काशादिकमो गुणानुरोधेनोक्तः । श्रुंतिरप्येवम् "एतस्मादात्मन आकाशः संभूत" इति ॥ ७० ॥

याज्ञवल्कीये ७१ श्लोकः।

साकांक्षत्वादाह । यजेति । आहुतौ कर्मणि किनित्याह । पुरोडेति । रसादिति सूर्य-विशेषणम् । अथेत्यस्यार्थस्तत इति । तच्च औषिक्षपं च । अन्यथा असंभवादाह । सेवीति । साक्षादप्यसंभवादाह । रसेति । शुक्रग्रहणमुपलक्षणित्याह । शुक्रेति ॥ ७१ ॥

याज्ञवल्कीये ७२ श्लोकः।

शंकाया एतावता समाधेराह । तत इति । इत्याह । इत्यत आह । अन्यदा निषेधाद-१० संभवाचाह । ऋत्विति । संयोगे सतीति शेषः । एवमग्रेऽपि । समाहारद्वंद्वमाह । शुकं चेति । एतेन द्वित्वनमित्यपास्तमनन्वयापत्तेः । संयोग इत्यस्यात्रापि कर्मधत्रंततयाऽन्वय इत्याह । परस्परेति । अबीजानि दुष्टानि । अन्वयायाह । स्थित्वेति । अभिसृष्टं मिश्रितम् । भूतातमा प्रागुक्तः । तस्य स्थिरत्वादाह । वायुनेति ॥ ७२ ॥

याज्ञवल्कीये ७३। ७४ श्लोकौ ।

३५ उभयेति । इंद्रियद्वयेत्यर्थः । हृत्स्थ एवात्र नेत्याह । प्राण इति । वृत्तीति । तत्तत्स्थाने इति । मि. १. २०६ भावः । तस्यानादेरित्यस्य क्रमेणार्थद्वयं आत्मजानितं आत्मीयजनितं तदाह । प्राणिति ॥ ७३ ॥ ७४ ॥

याज्ञवल्कीये ७५ श्लोकः।

अनुवृत्त्या आह । असाविति । एवव्यवच्छेयमाह । न कठीति । ननु कारणाभावात्कथं २, तत्वमत आह । अयमिति । भूतजातं भूतसमूहरूपम् ॥ ७५ ॥

याज्ञवल्कीये ७६।७७।७८ श्लोकै: ।

शीतं जलम् । उष्णमग्निः । तस्याप्यर्थं विवक्षितमाह । सूक्ष्मेक्षीति । आदिमाह्यं मान- माह । आकाशादिति । करणल्युटा आह । स्पर्शेदियमिति । एवममेऽपि । तयोः समानधर्मस्वे प्रकृतोपयोगिनमाह । तेजस इति । चार्थतुसंम्राह्यमाह । तथेति । तत्र मानमाह । शौर्येति । स्वस्मिन् शैत्यासंभवादाह । अंगानामिति । तृतीयं इति पूर्वान्वृपि । अजत्वं च वास्तव- मित्याह । सर्वमिति । तदर्थमाहैतदिति । प्रागुक्तमित्यर्थः । ततं इत्यस्य व्याक्ष्या चतुर्थे इति ॥ ७६ ॥ ७७ ॥ ७८ ॥

याज्ञवल्कीये ७९ श्लोकः।

मि. १. २०० दोषमेवाह । वैरूप्यमिति । तत्द्वौहृदमिति । तत्रार्थे द्वौहृदशब्दः । पृषो-दरादित्वात्साधुः । चामुंडावत् दोषो न भिन्न इत्याह । विरूपेति । "तस्मादि"त्यस्यार्थस्त-दोषेति । उपलक्षणमिदमित्याह । गर्भेति । प्रसंगादन्यद्प्याह । तथेति । व्यवायो मैथुनम् । अतितर्पणम् । अतिभोजनादि । वेगो मूत्रपुरीषादिः । कुक्कदास्तनम् । द्वाभ्यां पादाभ्यामेवाव- प्रकरणम् ३ ^च ९१ श्लोकः - शुक्रशोणितसंयोगे कायरूपपरिणामः।

you

स्थानम् । तत्रैव सुश्रुते एव । अनुबंधो मेहनम् ॥ ७९ ॥ ८० ॥

याज्ञवल्कीये ८१ श्लोकः।

पूर्वत्र वायुः साधारणो धातुभिन्नः ॥ ८१ ॥

याज्ञवल्कीये ८२ श्लोकः।

धात्रीं मातरम् । पुनरिति 'वीप्सा । गर्भमित्याह । पुनरिति । प्रार्थमाह । शीघ्र- ५ मिति ॥ ८२ ॥,

याज्ञवल्कीये ८३ श्लोकः।

मि. पु. २०८ यंत्रपदार्थमाह । स्नाय्वस्थीति । ज्वर उपलक्षणमित्याह । दुःसहेति । तदनंतरं मनुक्तमाह । अतीति । दशे पटले ॥ ८३ ॥

याजवल्कीये ८४ श्लोकः।

शिखी विहः । स एव रक्तरूप एव । ननु एवं ततः प्राक्तनान्नरसेनापि प्रकारां-तरत्वापत्तिरत आह । अन्नेति । भेदाभावादाहरंभेति । मुख्यमत्र न त्वक्त्वमित्याह । त्विग-वेति । उत्तमांगं शिरः । गात्रमविशिष्टं शरीरम् । तस्य स्वरूपज्ञानायाहोपरीति ॥ ८४ ॥

याज्ञवल्कीये ८५ श्लोकः।

तामेव षट्कोकीमाह । स्थालैरित्यादि । नखमस्रियाम् । चेन संख्यासमुचय इत्याह । १५ विंशतिरेवेति । तेषामित्यत्रैकशेषेण द्वयोरापि ग्रहणमित्याह । नखानामिति । यथोक्तमुप- संहराति । इत्येवमिति ॥ ८५ ॥

याज्ञवल्कीये ८६ श्लोकः।

अस्थिविशेषणत्वात् षष्ठीत्यत्र नपुंसकत्वम् अरत्निकेत्यत्र प्रमाणे कनित्याह । बाह्वी-रिति ॥ ८६ ॥

याजवल्कीये ८७ श्लोकः।

िम. ए. २०९ समुद्भवे इति द्विवचनांतमस्थिविशेषणम् । अग्ने समाहारद्वंद्वेन द्वयं सप्तम्य-न्तम् ॥ ८७ ॥

याज्ञवल्कीये ८८।८९ श्लोकौ ।

अर्बुद्शब्दो नात्रसंख्यापर इत्याह । अस्थीति । मध्येति बहुवीहिः ॥ ८८ ॥ ८९ ॥ २५ याज्ञवल्कीये ९० श्लोकः ।

उपसंहरति पूर्वोक्तेरिति ॥ ९०॥

याज्ञवल्कीये ९१ श्लोकः।

श्रीरस्वरूपकथनानंतरं तत्रैवाकांक्षया विषयाश्वक्षरादीनि चोच्यंते इत्याह । सविति । उक्तार्थमावे बीजमाह । विषया इति । अवधे: शेषत्वविवक्षया षष्टीत्याहेत्यस्येति । इंद्रियाणा- उक्तार्थमावे बीजमाह । विषया इति । अवधे: शेषत्वविवक्षया षष्टीत्याहेत्यस्येति । इंद्रियाणा- उक्तांद्रियत्वेन तत्सत्वेऽनुमानं प्रमाणमाहैतैश्चेति । अत एव तानुक्त्वे वैतान्युकानि । तत्र संबंधमाह । बोध्यत्वेनोति । संवित् ज्ञानम् ॥ ९१ ॥

याज्ञवल्कीये ९२ श्लोकः।

मि. पू. २१० पादौ चेति प्रसिद्धावित्यर्थः । तत्सत्वे मानमाह । युगपदिति ॥ ९२ ॥ याज्ञवल्कीये ९३ श्लोकः ।

समानेति । समाननाम्नोऽपीत्यर्थः । अपिनाऽन्यस्य सर्वस्य समुचयः । एतेनैतेषां प्राणा-प्रयतनत्वेपौनादीनामच्छेदापत्तिरित्यपास्तम् ॥ ९३ ॥

याज्ञवल्कीये ९४ श्लोकः।

हाधवार्थं व्युक्कमेण व्याचष्टे । नाभिरित्यादि । तौ अवहननष्णीहारूयौ । अत एव तिद्व-वरणादेव । एतेन पौनहस्त्यं परिहृतम् ॥ ९४ ॥ ९५ ॥

याज्ञवल्कीये ९६-९७-९८-९९ श्लोकाः।

।° सुष्को अंडो ।

₹ 0

"अवदः स्यात् लिले गर्ते कूपे कुहकजीविनि। अवदः कथिता घाटा कूपगर्तेषु सूरिमिरिति" विश्वः। वर्णशब्द आच्छद्कपर इत्याह। यद्वेति। शरीरके। कृत्सिते कृत्सिते कृत्सित इति। पदार्थोक्त्यनंतरं वाक्यार्थमाहैविमिति। तान्यवेति व्या है। तथेति॥९६॥९७॥९८॥९८॥

याज्ञवल्कीये १०० श्लोकः।

१५ नन्वेवं कथं तत्वमत आह । नानेति ॥ १०० ॥

याज्ञ बल्कीये १०१ श्लोकः।

जानीतेत्युक्तेराह । हे सामैति ॥ १०१ ॥

याज्ञवल्कीये १०२ श्लोकः।

अस्थामिति शेषस्य फलमाह । स्नाय्विति । आदिना रोमादिपरिग्रहः ॥ १०२ ॥

याज्ञवल्कीये १०३-१३४ श्लोकौ ।

केवलानामसंभवादाह । पूर्वोदितेति । स्वेदायनैस्तियस्यार्थः । स्वेदेति । संस्थिते भावे मि. पू. २१२. क्त इत्याह । संस्थानेति । एकार्थमाह । महानीति । तात्पर्यार्थमाह । अत इति ॥ १०२ ॥ १०४ ॥

याज्ञवर्कीये १०५-१०६-१०७ श्लोकाः ।

२५ अविरोधाया**हैतच्चेति ।** इतीत्यस्य व्याख्याद्वयं एतद्र्थमाहा**शुचीति । शेषमाह । बुद्धिरिति ।** एवमग्रेऽपि । अत एव शरीरकं । अंतः मांसादि तद्भक्षणार्थं समागतान्श्वादेरित्या-वर्यः । तात्पर्यार्थमाह । तस्मादिति ॥ १०५ ॥ १०६ ॥ १०७ ॥

याज्ञवल्कीये १०८-१०९ श्लोकौ।

अत एवाचित्यादाहोपेति । अभिः सर्वतोमावे । तदाह कदंदेति । न्यूनतां निराच्छे

मि. पू. २१३. अपरा इति । ततोऽन्या इत्यर्थः । सामान्यदीपस्य तत्वासंभवादाह । निवातोति । तस्य न सामान्यतः ज्ञानमुपयोगीत्याहैविमिति । पूर्वोक्तत्वात्तच्छब्देन तथैव गरामर्श इति भावः । तत्राभिमं हेतुित्याह । यत इति । चार्थतुसूचितमाहासृतत्वं चेति ॥ १०८ ॥ १०९ ॥

याज्ञवल्कीये ११० श्लोकः।

योगमित्यस्यार्थमाह । चित्तेति ॥ ११० ॥

याज्ञवल्कीये १११ श्लोकः।

तस्वरूपं दाढर्घायानुवद्ति । योऽसाविति । दृष्टांतसूचितमाहैतदेवेति ॥ १११ ॥

याज्ञवल्कीये ११२ श्लोकः ।

यथाविधानेनेत्येकपदस्यार्थमाह । स्वाध्येति । गायमिति भिन्नं पदं तद्रथमाह । गान- १० मिति । कमीण ल्युट् । तद्रेशह । साम्न इति । तद्भ्यासेति न तत्प्राप्तौ हेतुरित्याह । तन्नेति । शब्दब्रह्मोपासने इत्यर्थः । तद्कृतमिति । वैष्णवे इति भागः । "द्वे ब्रह्मणी वेदितच्ये शब्दब्रह्म परं च यत्" इत्यस्य पूर्शद्धः । एतन्मृलमूता श्चितिरिप मुंडके प्रसिद्धा (११४) "द्वे विये वेदिनत्व्ये इति ह स्म यत् ब्रह्मविद्दो वदंति परा चैवापरा चैवत्यदि" ॥ ११२॥

याज्ञवल्कीये ११३-११४-११५ श्लोकाः ॥

तीसु उभयस्त्वासु प्रसिद्धनालस्वनग्रहणमनुषयोगाहित्याह । ताल इति । नन्वेवं कथम-भि. ए. २१४. प्रयासोऽत आह । तालादीति । तथा नञल्पार्थक इत्याह । अल्पेति । ॥ ११३ ॥ ११४ ॥ ११५ ॥

याज्ञवल्कीये ११६ श्लोकः।

अनुचरत्वं न यथाकयं चित् तेनव सहेत्युक्तेरत आह । सचिव इति ॥ ११६ ॥

याज्ञवल्कीये ११७ श्लोकः ।

अनादित्वे हेतुमाह । प्रागुक्तिति । कुन्नेत्याशंकायामाह । अज इति । जीवात्माऽन्न नेत्याह । परेति । अग्रे जगत् न प्रागुक्तमित्याह । तहुदिति । अत्रात्मा जीव एवेत्याह । जीवानामिति । स्वतस्तत्वाभावादाह । स्थूलोति । बहुवीहि: । केनेत्याशंकायामाह । सर्गा-दाविति ॥ ११७ ॥

याज्ञवर्कीये ११८ श्लोकः।

् अग्रिमसर्वावतरणमाह । एतदेवोति ॥ ११८ ॥

याज्ञवल्कीये ११९-१२० श्लोकौ ।

मुनिभिः सामश्रवः पभृतिभिः। आह्। योगीति शेषः। हार्थमाह। तद्वयतीति। प्रसिद्धि-रिति भावः। सहस्रश्रन्दोऽनंतपर इत्याह। अनेकोति। तत्साहचर्यादेवाह। अनेनेति। अत ३० प्रवाह। बह्निति। कं मस्तकम्। ननु तस्य *निस्तवत्वात्कथमिद्मत आह। पतःचेति। हार्थमाह।

वानप्रस्थधर्म-- याज्ञवल्कीये

यत इति । अत्राग्निमं हेतुरित्याह । यस्मादसौ इत्यस्यार्थः । असाविति । विराजो ब्रह्मणः पुरो-डाशायनात्मकं यदूपं तेनेत्यर्थः ॥ ११९ ॥ १२० ॥

याज्ञवल्कीये १२१।१२२।१२३।१२४ श्लोकाः ।

द्रव्यदेवतयोस्त्याग इति नार्थ इत्याह । द्रव्यस्येति । त्यागात्संभूतत्वं नार्थ इत्याह । य इति । उत्तम इत्यस्यार्थः सकलेति । समर्थः सम्यगिति । अनिष्टिनिरासायाह । अभीति । योग्यतया शेषमाह । प्रेचैंति । तत इत्यस्यार्थः । शशीति । सौरं धामेत्यस्यार्थः भान्विति । विहितमित्यस्य तैः । योषितमित्यर्थे श्रुतिविरोधोऽत आह । सौषेति । सूर्यमंडलरूपेत्यर्थः । ततः तन्मयात् । अमृतपदार्थो रसमिति । उत्तमत्वमेवाह । यदिति । धातृनामनेकार्थत्वादृत्यर्थकत्वेनाह । चरेति । कर्तरि ल्युडिति भावः । जन्मेत्यस्य लक्ष्यार्थमाह । जननेति । तस्मादित्यस्यार्था वृष्टाति । भंग्या रीत्या । अनाद्यंतमित्यस्यार्थः । प्रवाहिति । उक्तप्रश्लोत्तरमुपसंहरति । इत्यनेनिति ॥ १२१ ॥ १२२ ॥ १२३ ॥ १२४ ॥

याज्ञवल्कीये १२५ श्लोकः।

तत्र च जगदुत्पत्तौ अनादिरात्मेति हेतुगर्भमित्याह । यद्यपीति । अंतरेत्यस्य व्याख्या ।

मि ए २१६ **शरिरोति ।** योग्यतया आह । शरीति । तदर्थमाह । भोगेति । शरीरे १५ इत्यर्थः । समाधिमुपसंहरति । तस्येति । समवायस्येत्यर्थः ॥ १२५ ॥

याज्ञवल्कीये १२६।१२७।१२८ श्लोकाः ।

स्वतस्तत्वासंभवादाह । सकलेति । अत एव सहस्रपद्मनेकपरमित्याह । बह्विति । तस्यानादित्वादाह । तथा सकलेति । व इत्यस्य व्याख्या युष्माकिमिति ॥१२६ ॥ १२७ ॥ ॥१२८ ॥

याज्ञवल्कीये १२९ श्लोकः।

अत्रेति । सामश्रवःप्रभृतय इत्यर्थः । एवमित्यस्यार्थं आत्मैवेति । आदिना प्रपंचः ॥ •

याज्ञवल्कीये १३० श्लोकः ।

मि. पृ. २१७ शंकोत्तरमाह । किंचोति । तथा पूर्ववत् । पूर्वपक्षमुपसंहरति । तस्मादिति २५॥ १३०॥

याज्ञवल्कीये १३१ श्लोकः।

तत्र तयोर्मध्ये । भवेत्यस्योत्पत्तेः स्थानानां शतानीत्यर्थः । शतशब्दोऽनंतपरस्तदाह । जन्मोति ॥ १३१ ॥

याज्ञवल्कीये १३२ श्लोकः।

3° किंचेति । उक्तमुत्तरं पोषयतीत्यर्थः । सत्वेति । इतरामिभवपूर्वकं स्वावस्थानमित्यर्थः । तत्कार्याणि । भावकार्याणि ॥ १३२ ॥

२५

याज्ञवल्कीये १३३ श्लोकः।

भेत्य मृत्वा । तत्फिलितमाह । देहान्तरे इति । आदिना "शुष्यत्सस्यसंजीवनकामः कारीर्या यजेतेति" हि विधिः । वृष्टिस्तु तन्मृत्यीद्वका "चित्रया यजेत पशुकामः" । अत्र च । अत्र तुतदर्थमाहं । कर्मणामिति । प्रयोजनशब्दः कर्तृत्युट् प्रत्ययांत इत्याह । प्रयोजकेति ॥१३३॥

याज्ञवल्कीये १३४ श्लोकः ।

तेषामन्यथाध्यानं न विवक्षितमित्याह । परेति । अभ्वर्थमाह । अभीति । अत्राप्यन्यथा नेत्याह । करीति ॥ १३४ ॥

याज्ञवल्कीये १३५।१३६ श्लोकौ ।

मि. पृ. २१८ किंचेति । प्रपंचोत्तरमाहेत्यर्थः । एवमग्रेऽपि बोध्यम् । णिन्यर्थमाह । शीस्ट इति ॥ १३५ ॥ १३६ ॥

याज्ञवल्कीये १३७ श्लोकः।

आहेति । श्लोकत्रयेणेति भावः । मुरुयात्मज्ञत्वमविवक्षितमित्याह । विद्येति । अवि-निगमकत्वादाह । बाह्ये । अर्थेषु । विषयेषु । धर्मशब्देनात्र काम्यस्यायहणमित्याह । नित्येति । विद्याशब्देनात्र तद्र्य इत्याह । वेदार्थेति ॥ १३७ ॥

याज्ञवल्कीये १३८।१३९ श्लोकौ ।

अधीर इत्यस्य व्याख्या व्यम्नेति । आरंभीत्यस्य व्याख्या सदेति । विषयीत्यस्य व्याख्या विषेति ॥ १३८ ॥ १३९ ॥

याज्ञवल्कीये १४० श्लोकः।

उपसंहारमाहेतीश्वर इति ॥ १४० ॥

याज्ञवल्कीये १४१ श्लोकः ।

मि. पृ. २१९ ज्ञानेत्येस्याधिकरणस्य शेषत्विवक्षया षष्ठीत्याह । अव**बोधे इति । एवं** न्यागपि ॥ १४१ ॥

याज्ञवल्कीये १४२ श्लोकः।

प्रकाशत्वात् तद्रुपत्वात् ॥ १४२ ॥

न्याज्ञवल्कीये १४३ श्लोकः ।

यदुक्तमिति । तृतीयशंकेत्यर्थः । सर्वः आत्मादिरूप आश्रयो यस्यास्तां तदाह । अध्या-त्मीति । सर्वदेहो न विवक्षित इत्याह । स्वेति । न चामोति वेदनामिति तुर्यपादं व्याचष्टे । न देहांतरेति । वेदनामामोतीति शेषः । हार्थे चस्चितमाह । भोगेति । आरंभेति । आरंभका-हष्टेत्यर्थः । चस्त्वर्थे इत्याह । यस्त्विति । वास्तवमुक्तत्वं नेत्याह । मुक्तेति । सर्वासामित्य-स्यार्थमाह । सकलेति । शेषमाह । वेदितेति ॥ १४३ ॥

याज्ञवल्कीये १४४ श्लोकः।

आत्मिन सतीति शेषः । अपारेति । सर्वथेत्यादिः । मतद्वयस्यापि उत्तरमीमांसायां प्रतिपोदित्वात् ॥ १४४ ॥

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याज्ञवल्कीये १४५ श्लोकः ।

स्याहेति । दार्ढ्यायेति मार्जैः । भूश्चेति । प्रसिद्धेत्यर्थः । इत्यर्थः । एते इति । आरो-पितं धातुत्वभित्याह । वातेति । तत्र तेषां मध्ये ॥ १४५ ॥

याज्ञवल्कीये १४६।१४७।१४८ श्लोकाः ।

त्रितयमुपलक्षणमित्याह । चीवरेति । एवमग्रेऽपि । कर्षणजातं करणसपूर्व । वार्ष्विकः मि ए २२० इतरापेशा । प्राग्वद्त्र नेत्याह । केवलिमिति । मार्गार्थोऽपम । रूप्यते इति रूपं । तदाह होमेति । एवमर्थस्तथेति । चार्थोऽपीति । कारणानीत्यस्यार्थः प्रथीति । संमूत्येन्यस्यार्थः परस्परेति । हेत्यस्यार्थोऽस्मिनिति । प्राग्वदाह । निजेति । ॥ १४६ ॥ १४७ ॥ १४८ ॥

याज्ञवल्कीये १४९ श्लोकः।

अन्यथेत्यस्यार्था यद्िति । तदाकारमाह । यथाऽयमहिनिति । ॥ १५९ ॥

याज्ञबल्कीये १५० श्लोकः।

पूर्वार्धः ।

संश्रुतामित्यत्र मतिबुद्धीति वर्तमाने क इत्याह । श्रूबेति । अनेन पुनरित्यस्य व्यवहित-१५ संबंधः सूचितः । यथाश्रुते दोषाभावादाह । तस्येति । ॥

याज्ञवल्की.ये १५० उत्तरार्धः १५१ श्लोकौ ।

युक्त्यंतरमध्याह । किंचिति । ये गत्यथीस्ते ज्ञानार्था इत्याह । अनुभूतेति । स्वप्नपदं मि, प्र. २२१. तज्ज्ञानपरमित्याह । स्वप्नेस्ति । लक्ष्यार्थमाहोपभोगेति । उपसंहरति । तस्माद्पीति । ॥ १५० ॥ १५१ ॥

याज्ञवल्कीये १५२ श्लोकः।

विष्ठण्यिक्ति । अनेन पौनरुवत्यं निरस्तम् । साकांक्षत्वादाह । योऽसाविति । विषय-सप्तमी । मत्यपेक्षयाचार्थवार्थमाह । तयेति । हार्थमाहैयेति । ॥ १५२ ॥

याज्ञवल्कीये १५३ श्लोकः।

साकांक्षत्वादाह । तस्येति । दारेत्याद्युपलक्षणमित्याह । आद्य इति । सहेत्यस्यैव २५ व्याख्या विष्कुतेति । उद्देश्यभिद्म ॥ १५३ ॥

याज्ञवल्कीये १५४।१५५ श्लोकौ ।

प्रकृतिस्वरूपमाह । आत्मन इति । अनाशके भावे प्वुळित्याह । अनशनेति । प्रवेशस्योभयत्रान्वयः । इदमुपळक्षणमित्याह । विशेषेति । विष्ठवो दोषः । वृत्त इत्यस्य

मि पू. २२२ व्याख्या नाना। वितथेत्यस्यार्थोऽसदिति । कर्मणेति जातावेकवचनमित्याह । ३० तत्कृतोति । साक्षात्तदसंभवादाह । शरीरेति । ॥ १५४ ॥ १५५ ॥ याज्ञवल्कीये १५६।१५७।१५८।१५९ श्लोकाः।

विश्रंभो बंघमोक्षः । वेद्शब्दोऽत्र योग्यतया वेदांतपरः । एवं शास्त्रमपि पातंजलाय-वेत्तदाह । वेदांतिति । आदिना योग्युक्तपरिग्रहः । षष्ट्यर्थमाह । प्रतिति । निदेति । तत्सदृशीत्यर्थः । व्यर्थो विशेषणोति । परामशो विचारः । प्राग्वदाह । बाह्यांतरीति ॥ १५६ ॥ ॥ १५७ ॥ १५८ ॥ १५८ ॥

याज्ञवल्कीये १६० श्लोकः।

तत्त्वमात्सेत्याहात्मेति । हेतुरयमपि । कर्मशब्दोऽबीजपरः पूर्वीन्वयीत्याह । कर्मेति ॥ १६०॥

याज्ञवल्कीये १६१ श्लोकः ।

किंचेति । गत्यंतरमध्याहेत्यर्थः । नन्वेवमापि नार्थिसिद्धिर्जातसाधननैष्फल्यं चात आह । तिहिति । ॥ १६१ ॥

याज्ञवल्कीये १६२ श्लोकः।

इत्याह । इत्यत आह । नाना इपेत्यादि बहुवीहिद्वयम् ॥ १६२ ॥

याज्ञवल्कीये १६३ श्लोकः।

निमित्तांतरम्प्यस्तीत्याह । किंचेति । तदेवाह । न केवलमिति । पये कालकर्मेति संहारद्वन्देन पृथक् पद्मित्याह । कालेति । आत्मबीजानामित्यस्यार्थमाह । स्वेति । दोषै- १५ रित्युभयान्विय । हीने भावे कः । वैक्वतेऽप्येवम् । स्वार्थेऽण् । तदाह हीनत्येति । स्थिति- नियमाभावादाह । अनियतेति । ॥ १६३ ॥

याज्ञवल्कीये १६४ श्लोकः।

*िलंगितित्यदाद्शतन्वात्मकमित्यर्थः । पूर्व मुक्तो मुक्तपूर्वः । पूर्वत्वं च मोक्षाविषकम् । तत्फिलितमाह । कदेति । ॥ १६४ ॥

याज्ञबस्कीये १६५ श्लोकः।

प्रतीति बहुवीहिः । वर्तिपर् सदीपपरिमत्याह । नानेति । आधारे इति भावः । विक्रियापि चेति व्याद्यष्ठे । तासां चेति । नन्वेवमपि तथैवात्र कृतो न कारणसत्वादत आहेतदिति । ॥ १६५ ॥

याज्ञवल्कीये १६६।१६७ श्लोकौ ।

मि. प्रे २२४. पागुक्तयुक्तेराह । सर्थत इति । शेषमाह । वर्तत इति । ॥१६६॥१६७॥

याज्ञवल्कीये १६८।१६९ श्लोकौ ।

इहेत्यस्य व्याख्या संसारे इति । कर्मणो भागासंभवादाह । कर्मकेति । ॥१६८॥१६९॥

याज्ञवल्कीये १७०।१७१।१७२।१७३ श्लोकाः ।

श्रुत्यंतरमाइ । अस्यूछमिति । हेतुत्वार्थमेवाज्ञानेति । द्योतनैः द्योतकैः । हेतुत्वार्थ- > •

वानप्रस्थधर्म-

मेवाह । जीवोपेति । तद्र्थमेवाह । देहे इति । एवमग्रेऽपि । वेद्यमानम् । अनुमीयमानम् । जगतः कारणमात्मानमिति शेषः ॥ १७० ॥ १७१ ॥ १७२ ॥ १७३ ॥

याज्ञवल्कीये १७४।१७५।१७६ श्लोकाः ।

मि. पृ. २१५. वत्र गमकांतरमप्याह । **किंचेति । ॥ १७४ ॥ १७५ ॥ १७**६ ॥ [°]

याज्ञवल्कीये १७७।१७८ श्लोकौ ।

अत्र पद्ये अर्थशब्दो विषयपर इत्याह । शब्दादीति । ॥ १७७ ॥ १७८ ॥

याज्ञवल्कीये १७९।१८० श्लोकौ ।

ततः अव्यक्तात् त्रिप्रकारत्वमेवाह । सत्विति । सत्विदिक्रमेणैवाह । वैकारिक इति । तत्र तेषां मध्ये ॥ १७९ ॥ १८० ॥

याज्ञवल्कीये १८१।१८२।१८३ श्लोकाः ।

मि. पृ. २२६, स्टिंगैहेंतुभिः ॥ १८१ ॥ १८२ ॥ १८३ ॥

याज्ञवल्कीये १८४ श्लोकः ।

पितृयाने करणे ल्युट् । मार्गो विशेष्यः ॥ १८४ ॥

याज्ञवल्कीये १८५ श्लोकः।

१५ दानेत्युपरुक्षणमित्याह । दानादीति । सम्यगिति पूर्वान्वयीत्याह । सम्यगिति । मंगलं कल्याणं ॥ १८५ ॥

याज्ञवल्कीये १८६ श्लोकः।

भि. पृ. २२७. प्रतिसंचरे छये । न्तस्येति होषे षष्ठी । मुख्यप्रकृतोपयोगिशंकामाह । क्रथंतरामिति । ॥ १८६ ॥

याज्ञवल्कीये १८७।१८८ श्लोकौ ।

अन्येऽपि तत्र संतीत्याह ! किंचेति । सर्वारंभेत्यस्य व्याख्या केवलेति । मेधायुक्ता इत्यंपि बोध्यम् । तिष्ठंते इति । तत्र पितृयाने । गत्वेति शेषः । तावता किमत आह् । तत्र चेति । १ पितृयाने इत्यर्थः ॥ १८७ ॥ १८८ ॥

याज्ञवल्कीये १८९ श्लोकः ।

रेप ते प्रामुक्ता द्विविधाः। यत इत्यस्य व्याख्या द्विवीति । तथेत्यस्यार्थो नित्येत्यादि । उत्तरसंगत्यर्थमाहैवं सतीति । तेषां नित्यमूतत्वे सतीत्यर्थः ॥ १८९ ॥ • •

याज्ञवल्कीये १९० श्लोकः।

अत एवाह । तत इति । इत्याह । इत्यत आह । तदेवाह । वेदस्येति । अनु-वचनमध्ययनम् । तस्य तत्वे सति ॥ १९० ॥

याज्ञवल्कीये १९१।१९२ श्लोकौ ।

अन्यद्पि फलमित्याह । किंचेति । तदेवाह । यस्मादिति । *अर्यसर्वोद्यर्थः प्रमेति ।

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मि. पृ. २२८ आत्मप्रमेति । आत्मिन प्रमाणभूत इत्यर्थः । एवमेवेत्यस्यार्थ उक्तेति । विविधार्थ इत्याह । नानेति । अर्थार्थमाह । तदनंतरिमिति । चसूचितं निदिध्यासनमाह । तत इति । अरण्ये भवमारण्यकं । तदाह । निर्जनेति ॥ १९१ ॥ १९२ ॥

याज्ञवल्कीये १९३।१९४ श्लोकौ ।

पुरुष इति । अभ्यत्य ब्रह्मलोकादागत्येति शेषः ॥ १९३ ॥ १९४ ॥

याज्ञवल्कीये १९५।१९६।१९७ श्लोकाः ।

त्वर्थे चार्थमाह । ये पुनिरिति । शेषमाह । ब्रीह्यादीति । आत्मवानित्यस्यार्थः प्रेति । ज्ञानमात्रेण न फलमत आह । मार्गेति । तथा च धातोर्ज्ञानपूर्वके तत्र लक्षणेति ॥ १९५ ॥ ॥ १९६ ॥ १९७ ॥

याज्ञवल्कीये १९८।१९९।२००।२०१ श्लोकाः।

मि. पृ. २२९ तत्तात्पर्यमाह । बद्धेति । तदुक्तमन्यत्र यथा

"पद्मासनं स्वस्तिकाख्यं भद्रं वज्रासनं तथा । वीरासनमिति प्रोक्तं क्रमादासनपंचकम् ॥

"ऊर्वोरुपरि विन्यस्य सम्यक् पादतले उमे । अंगुष्ठौ च निबध्नीयाद्धस्ताभ्यां व्युत्क्रमात्ततः॥

"पद्मासनमिति प्रोक्तं योगिनां हृद्यंगमम् ।

"जानूर्वोरंतरा सम्यक्कृत्वा पादतले उमे । ऋजुकायो विशेद्योगी स्वस्तिकं तत्प्रचक्षते ॥ १५ "सीमन्याः पार्श्वयोर्न्यस्य गुरुफगुमं सुनिश्चलम् । वृषणाधः पार्श्वपादौ पाणिभ्यां परिबंधयेत् ।। "भदासनं समुद्दिष्टं योगिभिः परिकल्तिम् ।

"ऊर्वोः पादौ कमाक्यस्य जान्वोः प्रत्यङ्मुसांगुळी। करौ निद्यध्यादाख्यातं वज्रासनमनूत्तमम्। "एकं पादमधः कृत्वा विन्यस्योरौ तथोत्तरम्। क्रजुकायो विशेषोगी वीरासनमितीरितम्॥

"आसनानि च तावंति यावत्यो जीवजातयः । एतेषामसिलानभेदान्विजानाति महेश्वरः ॥

"चतुरशीतिलक्षणमेकैकं समुदाहृतम् । ततः शिवेन पीठानां षोडशोनं शतं कृतम् ॥

"आसनेभ्यः समस्तेभ्यो इयमेतद्वदोहतम् । एकं सिद्धासनं प्रोक्तं द्वितीयं कमठासनम् ॥ "योनिस्थानकमंत्रिमूलघटितं कृत्या दढं विन्यसेन्मेद्रे पादमथैकमेकहृदये बध्वा समं विग्रहे ॥

"स्थाण्डः संयमितेदियोऽचल्हशा पश्यन्भुवोरंतरम् । एतन्मोक्षकपाटभेदनकरं सिद्धासनं प्रोच्यते॥ "वामोक्ष्परि दक्षिणं च चरणं संस्थाप्य वामं तथाः। सन्योक्षपरि तत्र वंधनविधिं कृत्वा कराभ्यां दृढम्॥ ३५ "तत्पृष्ठे हृदये विधाय चिनुकं नासाग्रमालोकयेदेतत् व्याधिविकारभेदनकरं पद्मासनं प्रोच्यते॥"इति,। अन्यत्रापि

"वीरं वा स्वस्तिकं वाऽपि बध्वाऽन्यतरदासनम् । उदङ्मुसः प्राङ्मुसो वा जपपूजादिकं चरेत् ॥ "पद्मं वा मुक्तकं वापि बध्वा ध्यानादिकं चरेत् । एवमासनयुक्तः सन्भूतशुद्धिं समाचरेत् ॥ "एकं पादमथैकस्मिन्विन्यस्योरुणि संस्थितः । इतरास्मिंस्तथा चारुं वीरासनमुदाहृतम् ॥ "सीमन्यामात्मनः पाइर्वगुल्मौ निक्षिण्य पादयोः । सव्ये दक्षिणगुल्कं तु दक्षिणे दक्षिणेतरम् ॥ "एतद्वा स्वस्तिकं प्रोकं सन्ये न्यस्येतरं करम् ।

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वानप्रस्थधर्म-याज्ञवल्कीये

"अंगुष्ठौ चारु बध्नीयाद्धस्ताभ्यां व्युत्कमेण तु । ऊर्वोरुपि विप्रेंद्र कृत्वा पादतले उमे ॥ "बद्धपद्मासनमिदं सर्वेषामपि पूजितम् । संपीडच सीमनीं सूक्ष्मां गुल्फेनैव तु सव्यतः ॥ "सन्यदक्षिणगुल्फेन मुक्तासनमुदीरितम् ।" इति ।

साहचर्यादाहोत्ताने इति । तात्पर्यमाह । यथेति । ततः तदनंतरं । तस्य सर्वदा ५ सत्वादेवाह । मन इति । स्वरूपं चेति । उच्यते । इति ग्रेषः । एकैकेति । तथोक्तप्रकारेण विभिन्निभिः प्राणायामैरेकैका धारणा स्मृतेत्यर्थः । ताभिस्तिसृभिर्धारणाभिः ॥ १९८ ॥१९९॥-२००॥ २०१॥

याज्ञवल्कीये २०२।२०३ श्लोकौ ।

श्रोत्रेण जानातीति श्रोत्रज्ञस्तस्य भावस्तत्ता । तदाह । अतीति । छंदत इत्यस्य १० मि. पू. २३० तात्पर्यमाह करणेति प्रसिद्धेत्यादिः । करणो ल्युटाह । छिंगमिति । चस्तत्र सर्वसमुज्ञायको व्युत्कमे ।॥ २०२॥२०३॥

याज्ञवल्कीये २०४ श्लोकः।

नित्यनैमित्तिकयोरत्यागादाह । काम्येति । सर्वासंभवादनावश्यकत्वादंकवचनोक्तेश्वाह। अन्यतममिति । वनेवसन्नित्यस्य तात्पर्यार्थमाहेकांतेति । उपायांत्रमाह । किंचेति । १५ काम्यनिरासायाह । नित्येति । णिन्यर्थमाह । शील इति । अयं सर्वोऽप्युपाय इत्वाह । सिन्तिते । एतत्फलमाह । आत्मेति । ॥ २०४ ॥

याज्ञवल्कीये २०५ श्लोकः।

ज्ञानं ध्यानम् । तथापाठ त्एव वा । हेरथीं यस्मादिति । अत एव साकांक्षत्वात्प्रागुक्ता-विरोधेनाह । तस्मादिति ।

इत्यध्यातमप्रकरणं ॥

अथ योगविधिः॥

एवं जपादिसिद्धप्रणवो योगी यथोचितमासनमास्थाय तन्मत्रन्यासादिकं कृत्वा मूलाधार गतस्यादिवर्णत्रयं तेजसोमध्यत्रिकोणविद्धस्थवृत्तनादमयीं परां शब्दब्रह्मात्मिकां देवीं भावयेत्। आत्मकुंडिलनी

१५ "तस्या मध्यगतं सूक्ष्मं सर्वविश्वस्य कारणम् । शिवातमकं परं तेजः संविद्वृपं परं समरेत् ॥" इत्युक्त-क्रमेण मूलाधारे अकारादिप्रणवांशत्रयं त्रिरेखं त्रिकोणं संचित्य प्रणवमुन्मन्यंतमात्रेपि तमु-चार्य अंतर्नादात्मकं अलिविश्तिकोमलं शब्दब्रह्मात्मकं सूक्ष्मं तेजस्ते सुनिभं नादं सुषुम्नाध्वना तद्गगतपरमात्मकगतं निनयेत् । इति सूक्ष्मतंत्वनयनप्रयोगः ।

अथैवमेव मूलाधारे आवर्त्तत्रययुक्तं बिंदुं संचिंत्य तारं तथोश्चार्योश्चार्य द्वाद्शांतस्य ३ बित्तं तु प्रोतं परिकल्प्य ततोमृतवर्यं ध्याय तारमभ्यसेत् १ इति बिंदुस्वरूपनयनात्मकः सपापमृत्युहरो योगः।

एवं मूलाधाराकारादित्रिकोणमध्यविदुगतं नाद्रसम्प्रमां विशतंतुमिभा संचित्य प्रणव-

प्रकरणायः । २०५ श्लोकः

मुन्मन्यंतमात्रायुक्तमुखार्थं द्वादशांतस्थाचिंखदे नीत्वा तस्मादमृतवर्षे भावयन्प्रणवमावर्त्तयेत् ।०। इति मात्रानयनात्मको योगः । विहरणादिनिपुणः।

मूलाघारमध्यगतत्रिकोणमध्यविंदुगतनादं तेजः पीततंतुनिभं ध्यात्वोक्तकमेण परमात्मनि निनयेत् । पुनरावृत्तिविहीनं ज्ञारमभ्यसेत् । पीततंतुनिभं योगो मोक्षकरः ।

अथ मूलाधारे एवं विचिंत्य स्थूलस्थमकारणसामान्यबीजसंविद्भावक्रमेण अकारमुकारे ५ उकारं मकारे मकारं बिंदी बिंदुं नादे नादं शकी शक्तिमुन्मन्यंते निर्द्वद्वादिलक्षणे शांते संहरन्प्रणवमभ्यसेत् । अयं क्रमः संहारात्मको मोक्षप्रदो योगः ।

एवमहरहर्योगं कृत्वा दिनत्रयावृत्तौ च मनसा जाग्रदात्मकं बीजं स्वप्ररूपे बिंदौ विठापनं तं सुषुप्तिरूपे नादे तंतुरीयरूपायां शक्तौ तांतुरीयातीतरूपे शांते जाग्रदादिभिः सह मनसा संहरेत्। अयं मंत्रोच्चारको मोक्षप्रदो योगः। मंत्रोच्चारके योगे सूक्ष्मायां स्वमहिमायां १० वाचि व्याख्यायां ख्यातिरूपायां मूळाधारस्थायां परायां वाचि पश्यंत्यां नाभिस्थायां वाचि मध्यमाख्यवेत्वयोश्च हृदयमुखस्थयोश्च प्रणवोच्चारणोत्पाद्यंतां पंचमीं तां वैखरीमवोच्चारणानंतरं तदंतरध्वनिरूपेणास्य भूमध्ये मूर्धद्वादशांतं षोढशांतं स्थित्वा अनुक्तकमेण वैखरी मध्यमा परा सूक्ष्माख्या सुसंहरन् प्रणवमभ्यसन्योगी योगं कुर्यात्। इत्यादिसर्वमवगंतव्यम्।

अथास्य प्रणवस्य यंत्रमपि भावनार्थमंत्रदेवताप्रकाशिकोक्तप्रकारेण लिख्यते । "षड्कक्षिं पीठसंस्थं तदुपरि विलसत्सोमसूत्रं सर्बिदुं ।

तन्मध्ये नादसंज्ञं प्रणवमभिवृतं विंदुनादौ पुनश्च ॥

इत्थं संचिंत्य योगी विविधमनुदिनं तारकं व्योमसंस्थं। ,

सर्वाधारं महेशं सकृद्िष मनसा संस्मरेखः स मुक्तः"॥ अस्यार्थः । षद्कुक्षिरित्यकारोऽन्वर्थसंज्ञः पीठ इत्युकारः । सोमसूत्रमिति तिर्यग्भूतरेखाद्यम् । बिंदुरिति तदुपिर रेखावलयं । नादिमिति । तत्र २० दीर्घरेखातारं प्रणवः । तदुपिर च बिंदुनादो । व्योमकारः । शेषं प्रसिद्धम् । ध्यानं " विष्णुं नमामि" इति मंत्रस्य शतलक्षजपः । पायसैर्घृतसिक्तेश्च दशांशहोमः । विप्रभूरुहसमिद्धिर्वा ॥ विप्रभूरुहं पलाशं । एवं पुरश्चरणहोमः । ॥ २०५॥

ं अथ प्रायश्चित्तप्रकरणम् ॥ ५ ॥

उक्तजातस्य वश्यमाणनावसरसंगतिमाह । वर्णोति प्रतीति । प्रश्नविषयकथनविषयेत्यर्थः। २५ षिढिति षड्घः स्मार्तधर्ममध्ये इत्यर्थः । तस्य तत्वं च वर्णधर्म आश्रमधर्मः वर्णाश्रमधर्मा गुणधर्मो निमित्तधर्मः साधारणधर्मश्चेत्येवं बोध्यम् । निमित्ते भवो नैमित्तिकः । निमित्तं च विहिताकरण-निषद्भिवनादि मूले एव वश्यमाणं । अत एव बृहस्पतिः "विहितस्याननु ष्ठात्प्रतिषद्ध-निषेवणात्प्रायश्चित्तं यत् क्रियते तन्नैमित्तिकमुच्यते " इति । अवांतरभेदेनाह । धर्मजातमिति । वर्मिसमूहमित्यर्थः । प्रायश्चित्तेति । तत्पदेवाच्य इत्यर्थः ।

्रप्रायश्चित्त-याज्ञवल्कीये

तदुक्तं "प्रायः पापं विनिर्दिष्टं चित्तं तस्य विशोधनामिति"। चतुर्विशितिमतेऽप्येवम् । तथा च पापनिवर्त्तनक्षमधर्मविशेषे योगरूढोऽयं शब्द इति तत्त्वम् । संकेतविशेषसंबंधेन प्रायश्चित्तशब्दवन्त्वमेव तत्त्वम् । अत एव क्रत्वंगश्चेषप्रायश्चित्ते तद्यवहार इत्यन्ये । प्रथेति । आदौ तत्र यत्प्ररोचनमाभ-रुचिस्तदर्थिमित्यर्थः । तदुन्मुखत्वार्थिमिति यावत् । फलांतरमाह । अधिकारिविशेषणोति ब्रह्महत्या-५ दीत्यर्थः । श्रद्धाऽऽस्तिक्यादीत्यर्थो वा । अर्थेति । प्रायश्चित्वविधिश्चीह्मणहननादिनिषेधोभयार्थ-वादेत्यर्थः । अनेनोक्तिसाफल्यमुक्तम् । कर्मति । जन्मांतरभावीत्यादिः ।

याज्ञवल्कीये २०६ श्लोकः।

तस्यैकअमिनरासायाह । ब्रह्मित । वश्यमाणमूलत आह । तामिस्नादीति । 'यथा कर्मित' (श्लो.२१७) वश्यमाणत्वात् । न हि सर्वे सर्वत्रेत्याह । स्वेति । घोरानित्यस्य व्याख्या
' अतीति । दारुणत्वमेवाह । दुःखेकेति । दुःखस्यैकः केवळं यो भोगस्तत्स्थानभूतानित्यर्थः । दुःखलेशोऽपि येषु नास्तीति भावः । एतावन्मात्रेण न सर्वकर्मक्षय इति व्याच्छे । कर्मजन्योति । नेयं हेतुपंचमी किंतु ल्यब्लोपे पंचमीति ध्वनयन्त्पष्टार्थं योग्यतया शेषेणाह । अनंतरमिति । उक्तरित्यैव हेतुमाह । कर्मेति । इहेत्यस्य व्याख्या संसारे इति । मृगश्वेत्यादिवश्यमाणानुरोधेनाह । श्वेवेति । दुःखबहुलेति । विशेषणेन सुखलेशसत्तासूचनद्वारा पूर्वतो विशेषोऽत्र प्रति-१५ पादितः । प्रार्थः प्रकरिति । तद्यों भूयो भूय इति । न्यूनतादि निराच्छे । महेति । आदिनाऽनुपातक्यादिपरिग्रहः । तत्र बीजमाह । तेषां चेति । तेषामपीत्यर्थः । नरकमोगोत्तर-मिति शेषः । इदमप्यग्रे वश्यते "तामिम्नं लोहशंकुं चे"त्यत्र (श्लो. २२२) । विशेषोऽपि तत्रेव वश्यते ।॥ २०६ ॥

याज्ञवल्कीये २०७१२०८ श्लोकः।

२० मि. पृ. २३१ मृगेत्यादि छवणहारक इत्यंतमस्यैव सामान्योक्तस्य विवरणमित्याह । महेति । तदुक्तम्

"एवं सर्वः समुद्दिष्टस्त्रिप्रकारस्य कर्मणः । त्रिविधस्त्रिविधः कुत्स्नः संसारः सार्वभौतिकः ।

" याहरोन तु भावेन यथत्कर्म निषेवते । ताहरोन शरीरेण तत्तत्फरुमुपाश्चेते ॥" इति । मृगशब्द आरण्यकसामान्यवाचीत्याह । हरिणाद्य इति ।

२५ "विप्रान्मुद्धीवसिक्तो हिक्षत्रियायां विशः स्त्रियाम् । अम्बष्टः शूद्धां निषादो जातः पारसवोऽपि वेति॥'' प्रतिपादितानुळोमनिरासायाह । प्रतीति । अयं मत्स्याघातजीवी । तदुक्तं दंयासेन

"शूदानिषादो मत्स्यघः क्षत्रियायामिति कमादिति"। वैदेहकेनेति । अयमापि प्रति-लोमजः । तदुक्तं (आचारे ९३ श्लो.)

" ब्राह्मण्यां क्षत्रियात्सूतो वैरुयाद्वैदेहकस्तथा । सूद्राज्ञातस्तु चंडातः सर्वधर्मबहिष्कृतः ॥" इति ।

प्रायशः सर्वत्र तथैव सत्वादाह । सजातीयेति । नन्वेवं कथमुत्पत्तिरत आह । मांस्रेति ।
 आदिना कुत्सितकर्दमादिपरिग्रहः । कीटानाह । तत इति । कृमिभ्य इत्यर्थः । स्वार्थे तरप् । विशेष-

मुक्त्वा सामान्यमाह । सजेति । वश्यमाणानुरोधेनाह । ब्राह्मणेति । प्रमाणमपि तस्य वश्यते । कमरा इत्यत्रार्धः रास् स्वार्थे इत्याह । कमेणेति । इदं पूर्वत्रापि स्थलत्रये विशेषणं बोध्यमत एव सर्वीते मूले उक्तमन्वादिविरोधं परिहरति । एतचेति । कामेति । इच्छाकरणपूर्वे कृते वित्यर्थः । अन्यास्विप मुलोक्तभिन्नास्विप योनिमित्यादेरमेऽप्यनुषंगो बोध्यः । संख्येकवचनादित्युः भयत्र शस् । क्रव्यादां । अपंक्तमासभिक्षणां । क्रव्ये चेति विट् ॥ २०९ ॥ २०८ ॥

याज्ञवल्कीये २०९ श्लोकः।

किंचेति । अन्यद्प्याहेत्यर्थः । न केवछं तदनंतरं तिर्यग्योनिप्राप्तिरेव किंतु तदनंतरं अन्यद्पीत्याशयोऽस्येत्याहैविमिति । उक्तप्रकारेणेत्यर्थः "नरका रौरवो रौद्रः शूकरस्ताल एव च" इत्यादि । यमानुरोधेनाह । रौरवादीति । जननसमय एवेत्यनेनोत्पत्तिशिष्टत्वमेषां सूचितम् । तेनोत्पन्नशिष्टव्यवच्छेदः । तस्याल्पत्वात् । एवं सामान्यपद्यतो लब्धमर्थमुक्त्वा प्रकृतार्थमाह । तत्रेति । १० तेषां मध्ये इत्यर्थः । राजेति बीह्यादित्वादिनिः । वश्यमाणानुराधेनाह । निषिद्धेति । कृत्रिमत्व-निरासायाह । स्वभेति । प्राग्वदाह । ब्राह्मणेति । प्राप्नोतीति शेषः । तल्पं दाराः । दुश्चर्मत्व-मेवाह । कुछितामिति ॥ २०९ ॥

याज्ञवल्कीये २१० श्लोकः।

वृतीयार्थमाहैतेषामिति । संवत्सरपर्यतमिति शेषः । अत्रं चतुर्विधं ॥ २१० ॥ याज्ञवल्कीये २११ श्लोकः।

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धान्यमिश्रोतिरिक्तांग इति । धान्यं च मिश्रं च धान्यमिश्रे । ते यस्य स्त इति अर्श आदित्वात् जातावेकवचनं । संबंधश्चापहार्यापहर्तृभावादिः । तथा च धान्य वौरश्चातिरिक्तं शून्यं अधिकं च यथाक्रममंगं यस्य तादृश इत्यर्थः । तदेतद्भिप्रेत्याह । षडंगुल्यादिरिति । आदिना चतुरंगुल्यादेरापे परिग्रहः । तथा च विष्णुः रिधान्यचौरोऽगहीनः । मिश्रचौरोऽतिरिक्तांगण इति। २० अपद्रव्यामिश्रणेन यो द्रव्यमपहरति स मिश्रचीर इति कल्पतरः। "धान्यचौरोंऽगहीनत्वमातिरेक्यं ॰ तु मिश्रक" इति मनुरिष (१९।५०) । यो द्रव्याणि अद्रव्यैस्तदाभासैः संमर्दयति यथा कुंकमं कुसुंभेन स मिश्रक इति तु मेघातिथिः । वस्तुतस्तु मूंसकोधान्य-हारीति वक्ष्यमाणात्वादेक एवात्रार्थो मूलाभिमत हाति बोध्यम् । सूचकेनापौनरुक्तचायाह । विद्येति । अत एवासदिति । तत्र वश्यति । शील इति । अमे तु सकुद्पीति बोध्यम् । प्राग्वदाहैतचेति । २५ एतक्पीत्यर्थः । नरक(भो)त्तरमितिशेषोऽत्रापि बोध्यः । यद्वा तद्वा । यत्किंचिदपि ॥ २११ ॥

याज्ञवल्कीये २१२ श्लोकः।

व्रह्मस्वं ब्राह्मणद्रव्यम् । तत्र विशेषस्योक्तत्वादाह । सुवर्णव्यतीति । हेमकर्तृशब्दोऽपि तज्जातिवाची ॥ २१२ ॥

याज्ञवल्कीये २१३ श्लोकः।

यत्रेत्यनेन फलशाकव्यावृत्तिः । शिष्यार्थमाह । मयूर इति । 'पत्रशाकं तु बर्हिण' इति मनीः ॥ २१३॥

याज्ञवल्कीये २१४।२१५ श्लोकौ ।

योज्यतया शेषमाह । हृत्वेति । अग्रेऽप्यस्यानुषंगो बोध्यः । पयोऽर्थमाह । क्षीरमिति । श्वित्री कृष्टी ॥ २१४ ॥

याज्ञवल्कीये २१६ श्लोकः।

पूर्वोक्तोपसंहारपरं मूलिमित्याहैविमिति । प्रदर्शनं निदर्शने । पृष्टाकोटेन पृष्टकोटिभिः । प्रकोपिति । एकोक्तिविशेषेणेत्यर्थः । कर्मिविपाकं तत्सामान्यं । स्तेयकर्मणीति न पूर्वान्विय । पूर्वमन्यत्राप्युक्तत्वात् । तदाह । स्तेयेति विषयसप्तमी । अत एव शेषमाहाऽपेति प्रकारशब्देन रूपविशेष इत्याशयेन । विष्णुस्मृतिमाह । यथा कांस्येति । अत्र व्याख्यानेऽतिप्रसंगं हृदि निधायाहाथवेति । अत्र प्रकारशब्देन फलं । तदाह यत्फलेति । यस्य फलस्य साधनं द्व्यम- १० पहरति तत्फलसाधनरहित इत्यर्थः । मनुमाह (११।५१) यथा पंगुतामिति । स्पष्टार्थमाह । मि. पृ. २३३. शंखेनिति । तैजसं रजतादि । मंडली मंडलीख्यरोगवान् । खलितः घर्षरस्वरः स्वरः स्वलद्गीर्वा । प्रतिहृत्वि प्रतिकृत्वृत्तिः । कुंडाशी कुंडस्यान्नमश्राति सः । यद्वा कुंडं पात्रं तत्रेव योऽश्वाति सः । "चतुःषष्टिपलैः शुद्धैः कुंडं प्रस्थचतुष्टयम् । भवेत्तयस्तु निगरेत्सकुंडाशि पतत्यधः ॥" इति ब्रह्मांडे । एकस्मिन्नेव भोजने यः प्रस्थचतुष्टयपरिमाणं मक्षय्रेत्स कुंडाशीति । अप तदर्थ इति केचित् । स्रियमेव पण्यां कृत्वा यो जीवति । कुमारं पतिमुपपनाः दारास्तत्त्यार्गा क्षैमारदारत्यागी । क्षपणकः जिनपरिवाद् । कपाली कपालरोगवान् । कौशिकी पक्षिविशेषः । एवं खंडकाणेऽपि ।

खल्बल इत्यस्यैव व्याख्या सुहुरिति । श्लीपदीत्यस्यार्थ उच्छूनेति । अवगोरणेऽईा आयच् । वातवृषणः एकस्थूलैक-इस्वः । न्यासः थाथीति प्रसिद्धः । पुरुषमृगः पुमान्मृगः । २० द्वीपी व्याघः । जलप्लवः । पणडुवीति प्रसिद्धः । यतस्ततः । अनियमेन । कक्षतृणं कक्षन्वन्योर्दहनात् । दारका बालकाः। मंडलाकारकृष्टवान् । श्वपाकश्वंडालः । स्नेहं घृतादि । ज्ञानापि हारी अनुज्ञातश्रोता । चांडालीपुल्कस्योर्गमने मस्देशस्थपिशाचः । शूद्रागमने इति पाटः । वार्षुषिकः निषद्भवृद्धचुपजीवी । अविक्रेयं लवणादि । राजमहिषी मुख्यराज्ञी । इदमुपलक्षण-मित्याहेत्येते इति । इत्याद्यो नरकगामिन इत्यर्थः ।

२५ न्यूनतां निराचष्टे । स्त्रियोऽप्येतेष्विति । पुवेन जात्यंतरनिरासः । जातिषु विषये । कल्पेन प्रकरणेन ।

प्रागुक्तमर्थवाद्वं स्पष्टयति । प्रतिविश्चिति । क्षिपित्वादिक्षपरुक्षणेत्यर्थः । जनमांतरानुष्ठितब्रह्मवधादेरिति भावः । तथा च ब्रह्महत्यादेर्यथाश्चृते प्रागुपादानेऽपि विपरीतवाक्यकल्पनया विपरीत
उद्देश्यविधेयभावो बोध्यः । ब्रह्महेति इदानींतनेत्यादि । न पुनरिति । उक्तरीत्योक्तिसाफल्याय
तथा प्राप्तावपि न तस्योक्तरीत्याऽर्थवाद्वेन साफल्यादिति भावः । पापस्य द्वितीयाऽपि
शक्तिवृक्ष्यमाणेत्याह । संसर्गेति । ब्रतं प्रायिध्वत्तं । तद्विनेति भावः । पापेति । वक्ष्यमाणस्थरुविशेषे इति भावः । वचने हि शेषसत्वादाह । प्रारद्धिति । बहुव्रीहिः । भोगेन प्रायिधित्तस्यिति
भावः । उक्तमेव दृष्टांतमुखेन दृद्यति । न हिति। वेधे कार्ये। तद्भाषारस्य तद्भाषारातरस्य । पुनः

पश्चात् । कार्मुकनिर्मोकानंतरम् । ननु न मोगेन तन्नाशः किंतु प्रायश्चित्तेन । तन्निमित्तपापापूर्वन् नाशद्वारा तन्नाशः इति तदावश्यकमित्याह । न च तदारब्धेति । पापापूर्वारब्धनरकादीत्यर्थः । अत्र हेतुमाह । न हीति । तत् चक्रादिकारकः । 'पूर्वेति' प्रसिद्धः । आदिना घटादिः । अति-प्रसंगमपि सूचयन्नाह । न च नैसरिति । नापीत्यर्थः । जन्मतः प्राप्तं प्रत्यानेतुं दूरीकर्तुम् । असं-भवादिति भावः । अतं एव हेतुगर्भविशेषणं तत्र दत्तम् ।

नतु नरकादिभोगेन तद्रेपूर्वनाशेऽपि यद्पूर्वेण शेषेणेह कौनख्यादिसंपन्नं तद्पूर्वमात्रनाशार्थमेव मायश्चित्तं स्यादत आह । किंचेति । आदिना प्रागुक्तान्यपरिग्रहः । अनुभूते गत्यर्थाकर्मकेति-कर्तरि कः । अनुभूतवत इत्यर्थः । उत्पन्नमात्रेणेत्यनेनोत्पत्तिपूर्तिः कालांतराद्यनपेक्षा
च सूचिता । आशुशुक्षणिरिष्नः । आद्यपक्षमुपसंहरित । तस्मादिति । ताहशस्थले इति भावः ।
नन्वेवमपि द्वितीयशक्तिनाशार्थमेव तद्यवश्यकमत आह । नापीति । अनुषंगेणान्वयः । अत्र हेतु- १०
माह । न हीति । उपसंहरन्युक्त्यंतरमाह । प्राचीनेति । विरोधं परिहरित । यस्विति । तदिति ।
यथा गृहद्राहिनिमित्ते श्लामवतीष्टिरनुष्ठीयते केवलं न तावतैव गृहद्राहिमत्यापत्तिस्तद्वदित्यर्थः ।
तदेव मात्रपद्व्यवलेखमाह । न पुनरिति । वा इवार्थे । पापक्षयांर्थमिव संव्यवहार्थत्वसिद्धचर्थमित्यर्थः । ॥ २१६ ॥

याज्ञवल्कीये २१७ श्लोकः।

मि. पू. २३४ श्रयरोग्यादिजन्मानंतरमपि किंचिच्छेषभूतं न तावतैव समाप्तिरित्याह । किंचोंते । यथाकर्मिति । पदार्थानतिवृत्तावव्ययीभाव इत्याह । स्वकृतद्विरिति । तस्यापि तात्प-र्यार्थमाह । तदान्विति । पत्रप्रधमाह । नरकादीति । गामश्वमितिवदाह । तिर्यक्तं चेति । कालपर्ययादित्यस्यार्थः कालक्रमेणेति । शेषं योग्यत्याऽऽह । श्लीणे इति । क्षयरोग्यादि-जन्मनेति भावः । एतदर्थमेवेदम् । अन्यथाऽनित्रप्रयोजनकत्वमस्य स्कुटमेव । लक्षणभ्रष्टा इत्यस्य २० सुलक्षणाद्रहिता इत्यर्थस्तत्कालितमाह । दुष्टेति । पुरुषाधमा इत्यत्र षष्टीसमासनिषेधात्सप्तमी-समास इत्याह । पुरुषेष्विति ।॥ २१७ ॥

याज्ञवंल्कीये २१८ श्लोकः।

प्राग्वदाह । किंचेति । सामग्रयभावे तदापि कथमत आह । प्राग्भवीयेति ॥ २१८ ॥

याज्ञवल्कीये २१९।२२० श्लोकौ ।

• काम्यस्थले विहितत्वसत्वेऽपि तथा शास्त्रेणानुक्तत्वाचित्ररासायाऽऽह। यदावश्यकामिति। सकुद्पि दोष इति सूचनाय व्याच्छेऽकरणादिति। पतनमित्यस्य नरकादियोग्यतामित्यर्थं हृदि निधायाऽऽह। प्रत्यवायीति।

तृतीयनिमित्तांशे शंकते । निन्विद्वियेति । अर्थशब्दो विषयपरः । अपिरुक्तसमुच्चायकः । इति इत्यस्य । एकांततः आसाधारण्येन । ननु किन्ततोऽत आह । तत्र चेति । तेषु इत्यर्थः । ३० विद्वियेति व्यधिकरणबहुनीहिः । स चेति । स तु संकल्पस्तु व्रतपद्वाच्यसंकल्पांशमादाय भाव-रूपो नञ्जर्थविशेषणानिषेषांशमादायाभावरूप इति उभयरूप इत्यर्थः । यद्यपि 'प्रासादवासि' न्यायेन माषमोजननिषेषस्यामिश्रणेऽपि प्रवृत्त्यंगीकारेण च तथा संभवति तथापि 'सिद्धस्य गतिश्चितनी-

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येति' 'ब्राह्मणवसिष्ठ'न्यायेन तथोक्तं पर्युदासेऽप्यार्थिकप्रतिषेधव्यवहार इंष्ट एवेति बोध्यम् । एतेन स अल्पप्रतिषेध इति 'ब्राह्मण वसिष्टादि'वत्प्राधान्यख्यापनार्थे वा तद्धक्तिरिति मेधातिथ्यायुक्तमपास्तम् । इंद्रियार्थप्रसंगाभ्यासेन पापाधिक्यार्थीमदिमिति कल्पतस्तक्तमपि ।

आधानिमित्तांशे शंकते । ननु वीति । विधिबोधितस्यापि स्वत एवाप्रवर्त्तकत्वेत तदाक्षेप अवश्यक इत्याहाऽऽक्षिपतीति । सर्वत्रेष्टसाधनताज्ञानस्यैव प्रवर्तकत्वेनात्र न तदपेक्षेत्याह । स्विविधयेति । सा उक्तरूपचोदना । तावन्मात्रेण तावतैव । तयवछेचमाह । न पुनरिति । अनुपपत्तेः तद्दुपपादकत्वासंभवात् । अननुपपत्तेरिति पाठस्तु युक्तः । अत एवाऽह अभ्युपे-त्यापि । किंच यद्यनुपेति । अर्थातरं तद्दिप विधिस्थले इति भावः । निषेधस्थले प्रतिबंदीमाह । तहीति । तस्याकिवित्करत्वादिति भावः ।

१० विधेः क्षीणशक्तित्वेन तद्संभवेऽप्यन्यथा तदाह । निन्वित । निषद्धेषु सुरापानादिषु । अर्थवादाः प्रागुक्ताः । तथिति । तत्र सर्वत्रार्थवाद्सत्तां मन्यते । हि यतः । हेतुत्ववे।धकोऽयम् । एवमग्रेऽपि । उत्थिताकांक्षाया अभावेऽपि वाक्यशेषवद्न्वयसंभव इति मूला स्मृतिरेव ताहशी सर्वत्र विधावित्याह । न च विहितेति । वाक्येति । अर्थवादस्थानापन्नेत्यर्थः । चतुरस्रं समीचीनं मि. १. १३४. युक्तमिति यावत् । "संदिग्धे तु वाक्यशेषादिति' न्यायेनाह । न हीति । प्रमिते १५ संदिग्धे तु आकांक्षया समभवति । ननूभयाकांक्षाया अभावेऽपि 'विहितस्येति' स्मृतेरेवाकांक्षया तस्याप्याकांक्षामुख्याप्यैकवाक्यत्या तत्त्वमस्याः संभवतीत्याह । भवतु वेति । नाभावोति । तस्य तत्त्वेन कार्यजनकत्वस्यान्यत्र इष्टत्वाद्संभवाचेति भावः । एतेनार्थवाद्गतप्रत्यवायपरिहारार्थनेव स च यत्र नास्ति तत्रापि कल्पते । अन्यथा विधेरेवाप्रवर्तकत्वापत्तिरित्यादि मधातिथ्या- युक्तमपास्तम् ।

अत्रापि शंकोक्तेपि तथा चै तत्रापि भावस्यैव तज्जनकर्त्वं नाभावस्य प्रतिवंधकाभावस्य तु तत्वेन कार्यमात्रं प्रति तत्वं सर्वसंमतमेवेति भम्वः । इत्यस्याः स्मृतेः कथं गतिरित्यन्वयः । तदंशे एवाहाऽभिहोत्रेति । स हेतुरिति शेषः । तथा चेद्वशप्रत्यवायस्तदंशे विवश्यतो न तु निषिद्धानुष्ठानादिवन्नरकादिहेतुभूतपापापूर्वेक्षप इति भावः ।

अविरोधायाह । निन्वति । वर्णानां क्रमेणाह । वंतित्यादि । अत्र विच्यतत्वमात्रं विभ्यमेवमभेऽपि तद्नुवृत्त्या बोध्यम् । उल्का ज्वळत्काष्ठम् । कुणपः श्वशरीरम् । आयंतयोस्तदुद्देश्यस्योक्तत्वानमध्यद्वयमपि तद्विषयमित्याहे-त्येतानि । विहितेति । अत्रातात्पर्यादाह । वेति । अत्र शब्दार्थत्यागापात्तरत आह । यद्वेति । निषद्धाचरणस्य तज्जनकत्वस्य क्लप्तत्वेनात्र तद्मावादाक्षिप्तेति । नात्र पक्षे पूर्वतत् विकल्प इत्याह । वांताश्युल्केति । विशेषाभिप्रायणोपसंहरति । इति न क्वचिविति । अथ समुद्ति । अ ननु पुंश्वलीति । पुंश्वली वानरसरदिष्टाश्च मिथ्यामिशस्तश्च तद्दाद्वित्यर्थः । अपि नोभयादि-समुच्चयः । तत्र तद्मावे इष्टापत्तावाह । कथं चेति

"श्वशृगाठसरैर्देष्टो माम्येः कव्याद्भिरेव च । नराइवोष्ट्रेवराहेश्च प्राणायामेन शुध्यति ॥" इति । मनुः (११।१९९)। मिथ्याभिशस्तः । अन्तमभिशप्यमानः कुच्छ्रं मासं समात्ररेत् । पात-केषु 'महापातकेषु द्विमासं कुच्छ्रमिति' पैठीनिसः । अन्यथाऽनुपपत्त्या आहारमावेवेति । भेष विधानादित्यस्य कल्पते इत्यत्रान्वयः । तस्य तत्र तत्वस्य सत्वात्माखदाह । क्राम्मान्तरेति । आदिना तद्दृष्टादिपरिग्रहः । तिनिमित्तेति बहुवीहिः । अनुष्ठितिमिति । सूचितं प्रयत्नमाह । पुरुषेति । वर्त्रतरमादायान्यथासिद्धिस्तु नेत्याह । न चेति । एतेनेदियार्थप्रसंगशब्देन देशामि-शापौ लक्ष्येते । स्वकार्यत्वादिति । तत्रापि तद्र्थं तृतीयग्रहणमिति शूलोक्तमपास्तम् । उपसंहरति । तस्मादिति ।

एवं साधितेऽर्थे साधकांतरमप्याह । तथा चिति । विहितं नित्यं नैमितिकं च । निंदितं भ निष्दं सुरापानादि । इंद्रियार्थेषु तिद्द्षिषयेषु अविहितत्वेषु संस्कृतमोजनचंदनानुळेपनादिषु । प्रसंगश्चासेवाविषयामिळाषपरतेति यावत् । प्रायश्चित्तीयते । मत्वर्थेनंताद्भृशादित्वात् क्यङ् । एतेन प्रायश्चित्तमेति इच्छिति वे व्यत्ययो बहुळमिति इयङ् प्रत्यय इति तदुक्तमपास्तम् । शिष्टस्या-क्रियाप्रतिषिद्धस्य सेवनमिति द्वैविध्यम् । गौतमोक्तं तु प्रायिकमिति न विरोधः । नर इति वचनं चातुर्वण्योधिकारार्थमिति यद्वकं संडयति । नर इति । उभयत्रेति भावः । एतेन १० वैदिकांशमेव प्रायश्चित्तं न चंडाळादीनामित्यपास्तम् । तस्मादिति ।

द्वितीयपयार्थमाह । तस्मादिति । साकांक्षत्वातपूरितमिद्म् । तेनेत्यस्यार्थः कृतेति । इहोति लोकपरम् । अन्यथा नैकिल्पात् । तच स्मृत्यंतरादुपलक्षणं विद्युद्धयेत्यत्रान्य इत्याहेहोति । पविमृत्यंतरादुपलक्षणं विद्युद्धयेत्यत्रान्य इत्याहेहोति । पविमृत्यंतराद्यप्रश्चार्थः प्रायश्चित्तेति । तात्पर्यार्थमाहैवं चेति । एवं वदता योगिना चेत्यर्थः । अधिकार इति । तद्व्पाक्षिकार इत्यर्थः । तत्र अनुष्ठीयमानप्रायश्चित्ते । अस्यादृष्टचरत्वितरासायाह । १५ जातेष्टीति । 'वैश्वानरं दादशकपालं निर्वपेत् पुत्रे जाते' इति विहितेष्टौ पुनत्वादिफलक्वित्यर्थः । तथा च तत्वित्रिहरमप्राप्युपरियतत्वात्तद्वस्वंहिताधिकार एव । तथा च जावालिः

''क्षयं केचिदुपात्तस्य दुरितस्य प्रचक्षते । अनुत्पत्तिं तथैवान्ये प्रत्यवायस्य मन्वते ॥

"नित्यिकियां तथैवान्ये अनुषंगफलां श्रुतिमिति "। इत्येतावता एतावनमात्रेण । कामेति प्रायिश्वतं कामरूपाधिकार एवेत्याशंक्येत्यर्थः । त चेति । न हीत्यर्थकमिति । शेषमाह । २० यस्मादिति । मनुमाह । चरीति । अनिष्कृतैनस इति छेदः । एवं च पापिनः प्रायिश्वतं नित्यं नैभित्तिकं काम्यं च । अतो विकल्यंगादि पापस्य नाहाः । किंत्वल्पस्यैव न तु समग्रस्य । एवं च प्रधाननिष्पत्तावंगानिष्पत्तावापि न प्रधानावृत्तिरिति बोध्यम् ॥ २१९ ॥ २२० ॥

याज्ञवल्कीये २२१ श्लोकः।

मि. पृ. २३६. तदेव मूलकृद्धाहत्याह । प्रायश्चित्तित । कष्टानित्यादेर्थः क्रेहो-२५ त्यादि॥ २३६॥

याज्ञवल्कीये २२२।२२३।२२४।२२५ श्लोकाः ।

'महानरकंति' 'संजीवनेति' च समाहारद्वंदः । घोरैर्भयंकरतद्पूर्वैरन्विता इत्यावन्तः। ननु संज्ञाभेदोक्ताविप स्वरूपभेदो नोक्त इति कथं ताद्विवरणमत आह । अन्वश्रीति ।

तामिस्रोंऽधकारवान् । छोहरांकुः सूचीभेदनम् । महानिरयः । महती सर्वेषकारा पीढा ३० यत्र । शाल्मिकः शाल्मिकंटकैस्तोदनं यत्र । रौरवः शब्दवेधो यत्र । कुङ्गमलं किलकारूपेण तोदनं यत्र । प्रतिमृत्तिकं पुरीषादि । पापक्षय एव । किंतु वचनापाहताधमृतिका यत्र । कालसूत्रकं कुळालक्ष्यकः हुळेदनं यत्र ॥ १२२ ॥

प्रायाश्चत्त-याज्ञवल्कीये

संघातः अत्यंतसंवृत्तदेशे बहूनामवस्थानं । लोहितोदं रुधिरमेवोदकं यत्र । सविषं विष-बहुलम् । संप्रपातनं सम्यक्प्रपतनं यत्र । महानरकः । तप्तभूमिवर्त्मनाऽऽगमनं यत्र । काकोलः काकैर्भक्ष्यते यत्र । संजीवनं यत्र संजीव्य पुनः पुनर्व्यापाद्यते । महापथः । महामार्गकृतपीढा यत्र ॥ २२३ ॥

अवीचि दाहो महान्यत्र । अंधतामिस्नं निविडांघकारो यत्र । कुंभीपाकः कुंभ्यां पाको यत्र । असिपत्रवनं असिरूपपत्राणां वनं समूहो यत्र । यदीयपत्रैर्वर्ध्म विदार्यते । तापनं अग्न्यादिदाहो यत्रेति बोध्यम् ॥ २२४ ॥

घोरपदार्थमाह । भयमिति ॥ २२५ ॥

याज्ञवल्कीये २२६ श्लोकः।

१० वश्यमाणैरिति । 'वश्यमाणलक्षणैरिति' पाठे वश्यमाणस्वक्तपैरित्यर्थः । कामतः । अ इति प्रश्लेषेणाह । न काम इति । पूर्वानुषंगेणान्वयः । तथा च पूर्वान्वयीदमिति सचितं । त्वर्थ-माह । किंत्विति । तत्र कामतः क्वते पापे "एतेन कामतः क्वते पापे तैरिह व्यवहार्यो भवतीति" कल्पतकक्तम् । अज्ञानकृतपापप्रायश्चित्तेन कामकृतपापनाशो न किंतु व्यवहार्यतामात्रंवचनात् । यद्वाऽकारप्रश्लेषायथोक्तप्रायश्चित्तेन कामतोऽपि भावेऽपि व्यवहार्यो नेति श्लुलोक्तं चापास्तम् । १५ उक्तयुक्तेः ।

असंगत्यामासं परिहरति । अत्र चेत्यादिना । तुल्यत्वेति तुल्यफलत्वेत्यर्थः । बुद्धिपूर्वे पूर्ण-मुक्ता**हाबुद्धीति । अधिगतः** बाधितः । उपदिष्ट इति यावत् ।

नन्वस्तु तुल्यफलत्वं तथापि बयोरव्यभिचाराभावेनावश्यसत्तायास्तत्राभावेन कथं तत्सागत्य-मत आह । **किंचेति ।** बलात्कारनिरासायाह । स्वतंत्रेति । तस्य प्रवृतिरित्यर्थः । ज्ञानादेः २० प्रवृत्तिकारणत्वादिति भावः । अविनाभावो व्याप्तिः । ननु स्वतंत्रप्रवृत्तेरपि नो भयनियतत्वं तयोरविना-भावस्यैवासत्वेनान्यतराभावेऽपि तत्संभवादित्याशयेनाह् । न चेति । कामनाभावादित्यकार-प्रश्लेषः । यतः बलात्कारस्य प्रवृत्तिहेतुत्वात् चौरादिज्ञानं सुमुकामनमेवेति भावः । अन्यत्र व्यभिन्त चारमाह । यत्त्विति । अत्रेच्छा शुष्कपातविषया ज्ञानं तु कर्दमविषयामिति भेदः । वास्तवेति । शुष्कविषयकज्ञानाभावात्तद्विषयकामनायाः सत्या आपि असत्कल्पत्वं प्राग्वत् । यद्विषयमवास्तव-ज्ञानं तद्विषयेच्छास्त्येवेत्यर्थः । एवमन्यत्राप्याह । प्रसंगादेवमिति । फलेति । प्रारब्धकर्मणां भोगादेव क्षयादिति भावः । यथेति । यत इत्यादि कमते प्रवर्तते न तद्येक्षेति यावत् । तत्रेति । "अथ सत्वयं पुरुषः पापेन कर्मणा लिप्यते यथैतद्याज्ययाजनमभक्ष्यभक्षणमवद्य-वदनशिष्टस्याक्रियाप्रतिषिद्धसेवनमितीति "तदादिः । 'पाप्येनेति' पाठे गर्हणीयेनेत्यर्थः । 'शिष्टस्येति' विहितस्याकरणमित्यर्थः । मीमासंते विचारयंति । पूर्वपक्षमाह । न कुर्यादिति । न हीति । फलोपभोगमंतरेणेति भावः । अपरं मतं सिद्धांत इत्यर्थः । पुनःस्तोमाख्यो यागः प्रायश्चित्तरूपः । एवमग्रेऽपि । यजत इति । अग्निष्ठुताभिशस्यमानं याजयेदिति च बोध्यम् । पुनः पुनरि पाप्तः सवनमाध्यंदिनसावनसायंसवनसाध्यकर्म प्राप्तुवंतीत्पर्थस्तदाह । सवनेति । तथा च पुनः स्तोमादीनां प्रायश्चित्तानां श्रुतौ दर्शनात्पापोत्पत्तिवत्तन्नाशस्यापि शास्त्रेकगोचरत्वायुक्तैव

प्रकरणम् ५ २२६ श्लोकः

निष्कृतिरिति कर्तव्यमेव प्रायश्चित्तमिति भावः । मात्रपदेनोक्तार्थे प्रामाण्यनिरासः । प्राहास्त्ये एव तात्पर्यात् । रात्रीति ''प्रतितिष्ठंति ह वा य एता रात्रीरुपयंती "त्यत्र प्रतिष्ठारूपफळवदित्यर्थः । 'उपस्थितमिति' न्यायादिति भावः । न्याय्यत्वादिति प्रायश्चित्तस्यैवाभावादित्यर्थः ।

हेस्वासिद्धं परिहरति । तदेति । अवेत्यत्रान्वयः । अनिभसंधिरनिच्छा । प्रमाण्य हत्वा । भृग्वग्निपतनादिकं तु तत्रापि । प्रायश्चित्तमस्तित्याह । भृग्वग्नीति । चेन समृत्यंतरस्यापि । समुच्चः । तथाहि

"यः कामतो महापापं नरः कुर्यात्कथंचन । न तस्य शुद्धिर्विज्ञेया वन्हौ प्रपतनाहते ॥ "शरीरं न दहेचावत् ब्रह्महा पापकृत्तमः । तावत्तस्य न शुद्धिः स्याद्भगवान्मनुरब्रवीत् ॥ "पाणांतिकं तु यत्प्रोक्तं प्रायश्चित्तं मनीषिभिः । तच कामकृतं प्राप्य विज्ञेयं नात्र संशयः॥" इत्यंगिराः ।

"इयं विशुद्धरुदिता प्रमाप्याकामतो द्विजम् । कामतो ब्राह्मणवधे जीवतो नास्ति निष्कृतिरिति॥" कालिकापुराणे इति ।

उक्तवचनद्वयातिं क्रमेणाह । यत्त्वित्यादि । शेषमाह । शुद्धीति । अन्यथा विरोधः स्पष्ट एवेति भावः । ननु पूर्व द्वादशवार्षिकायवभृथस्नानांतानां त्रयोदशः प्रायश्वित्तानामुक्तत्वात्कथं तस्या एव परमर्शोऽत आह[े]। सर्वेति । तेषामुत्सर्गतः प्रधानपरामर्शित्वात् । तस्या एषादावुक्तत्वाद्विकल्पे- १५ नाग्रिमपक्षाणामनुकल्पत्वेनोक्तत्वात्प्राधान्यात् । अत एवैकवचनसंगतिः । भवदेवोऽप्येवं । एतेन प्रागुक्तसर्वस्य तेन परामर्शात्तत्र मरणास्याप्युक्तत्वार्ज्ञित्यमिदम् । तस्माद्यवहार्यत्वरूपनिष्कुत्यभाव-परं तत्सर्वं न तु पापनिष्क्रत्यभावपरम् 'कामतो व्यवहार्यस्विति' मूलानुरोधादिति मूलोक्तमपास्तम् । उक्तयुक्तेः । उक्तस्मृत्यंतरानुरोधाच । ज्ञानकामाम्यां कृते प्रायश्चित्ताभावः । केवलकामकृते तु मरणामिति श्रीकरोक्तं तु न युक्तं । तयोरव्यक्तिचारस्य प्रतिपादितत्वात्पूर्व तस्या एव मुख्यत्वेनोक्त- २० त्वादाह । द्वादशोति । मात्रं कारम्यें । आदिना तत्द्वेगुण्यादिपरिग्रहः । पुनस्तत्रेत्र विरोध-माशंकते । नन्विति । उभयत्र कामकूते च ज्ञानकृते तारतम्यमाह । यत्र त्विति । पित्रिति मातृपितृयोनिसंबन्धगामीत्यर्थः । इदमग्रे स्फुटीभविष्यति । आर्षत्वादानङ् पूर्वनिपातश्च न । मात्रव्यवच्छेद्यमाह । न पापेति पितृत्रित्यादिनोक्तानुपातकसंग्रहः । शास्त्रप्रामाण्यादिति भावः । तदेव विशद्यति । द्वे हीति । इतरेति । नरकोत्पादिकेत्यर्थः । ^{२५} एतेन शक्तेरेक्ये कथं विभाग इत्यपास्तम् । उपसंहरति । तस्मादिति । पूर्वपक्ष्यभिमतं खंडयति । यत्त्विति । नन्त्रेवं कामतः कृते प्रायश्चित्तं न स्यादत आह । कामकारेति । कामस्य कारः करणं तेन कृते इत्यर्थः । यद्दा कामकारः कामकर्ता कामी तेन कृते इत्यर्थः । इच्छापूर्वक-करणे इति यावत् । अपिना पूर्वसमुच्चयः । एके मुख्याः सिद्धांतिनः । उभयथाऽपि व्यातिक्रमे प्रायिश्वतं कर्तव्यमिति तात्पर्यम् । अस्य तत्वे हेतुमाह । श्वतीति । "इंद्रो यतीन् शालावृकेभ्यः ३० प्रायछत् । तमश्ठीला वागभ्यवद्त् । भ्रूणहन्निति । स प्रजापतिमुपाधावत् । तस्मा अयमुपहन्यं प्रायच्छदित्यादि" श्वतीत्यर्थः । अश्लीला निष्ठुरा इंद्राय बुद्धिपूर्वकं स्वम्थो यतीन, वादयितुं दत्तवते प्रजापतिरूपह्य्याख्यं कर्म प्रायश्चित्तं दत्तवानित्यर्थः। अतः कामक्कतेऽपि प्रायश्चित्तमस्तीति भावः । अपिना स्मृत्यंतरसमुचयः । तचाकामतः इति वक्ष्यमाणादि अपिनाऽन्यसमुचयः ।

पूर्वपक्ष्यभिमतं निराचष्टे । न पुनरिति । । उक्तहेतोरिद्गिष पतनीये एव चेद्पतनीये कामतः कृते कथमत आह । अपतेति । अपिना प्रागुक्तस्यैव समुच्चयः । वेद्राभ्यासः कामतप्रायश्चित्तापेक्ष-छषुप्रायश्चित्तोपळक्षणं प्रायश्चितांतराणामपि विधानात् । पृथिग्वधेः भिन्नेः । प्रायश्चित्तांतरेः । यद्यपि 'मुह वैचित्य' इति—धात्वर्थानुसारादज्ञानमात्रं मोहः । यथा शूद्रस्य ब्राह्मणीं मोहाच्छळत ५ हत्यादौ तथाऽप्यत्र कामत इत्युक्तेनं तस्य ग्रहणमपि तु धर्ममूद्रत्वमेतेन मोहश्चेत देवेद्र- बुद्धिपूर्वो व्यतिक्रमः । "उच्यते पंडितैर्नित्यं पुराणेशांशपापन" इति सांकोतितभविष्यपुराणोक्त-मोहग्रहणिमत्यप्यपास्तम् । न कामत इत्यादिप्रागुक्तमपि मरणांतिकप्रायश्चित्तभिन्नविषयमिति ध्वनयन् पतनीयेऽपि गौतमोक्ते विशेषमाह । पतनीयेऽपीति । कर्मणि प्रागुक्तान्यतमे । फळांतरेति । इह छोके फळाभावात्पारछौकिकमेव फछं कल्यं । तच्च पापापनोद्दनमेवेति भावः । १० नास्येति । अञ्चमेधावभृथादिषु संभवत्स्वपि । अस्यास्मिन् जीविते इह छोके । प्रत्यापन्तिः शुद्धिनीस्तीत्यर्थः । मृतस्य तु कल्मषं निर्हण्यते तेन पुत्रादिभिः संस्कारादि कर्तव्यमिति भावः । अन्ये तु पूर्वसूत्रं तिन्नवृत्त्यर्थं मन्वते । प्रत्यापत्तिः पुत्रादिभिः संस्कारादि कर्तव्यमिति भावः । अन्ये तु पूर्वसूत्रं तिन्नवृत्त्यर्थं मन्वते । प्रत्यापातिः पुत्रादिभिः पित्रादिभावेन संबंध इति हरदन्तः । छाग्छेयोऽपि

"प्रायश्चित्तमकामानां कामावासौ न विद्यते । उपपातक एव स्थात्तथा चात्मोपघातने॥" । इति ।

14 कामावासौ ज्ञानपूर्वपापनरकोपभोगनिवारकं तन्नास्ति उपपापत्मधातयोस्तु ज्ञानपूर्वत्वे
ऽप्यस्त्येव । आत्मघातार्थे विषमक्षणादिके कृते यदि जीवित तदा तद्वस्ति । अथ मृतस्तदा
तिद्धितेच्छुना कार्यमित्युभयथापि तदस्तीति न विरोधः । तथा च कामकृते मरणद्वैगुण्याचरणेनेह
व्यवहार्यत्वस्य नित्यकर्मानुष्ठानप्रतिबंधकपापशाक्तिनिरासस्य च सिद्ध्या कर्मस्विधकाराद्विहितकर्मकरणेन प्रत्यवायाभावात्पापांतरानुस्पत्तिरिति तत्सत्ताप्रतिपादकवचनाशयः । नरकोपभोगहेतु
२० भूतपापशक्तेरनपायात्तादृश्यायश्चित्ताभाव इति नाम्नीति वचनाशय इति तात्पर्यम्॥ २२६॥

याज्ञवल्कीये २२७ श्लोकः।

व्यवहितसंगतिमाह। निषद्धाचरणादिकं। तद्विशेषमाह। यद्घापेति। तस्य तत्त्वायाह।

मि. १. २३८ कारणांतरेति। व्यापारांतरेत्यर्थः। अन्यथा तु न तत्वमिति भावः। 'ब्रह्मश्रूणेति' भूते किवित्याह। हतेति। निषद्धेति। यस्य या सुरा निषिद्धा तस्या इत्यर्थः। अनेनान्यत्र दोषा-२५ ल्पत्वं स्वितस्। एवमग्रेऽपि। विशेषणफ्ठं सर्वत्र बोध्यस्। सुवर्णस्येति। अशीतिरिक्तिपरिमितान्यूनस्वर्णस्येत्यर्थः। अपहरणं च समक्षं। परोक्षबळाच्चायेण वा। गुरुतंत्वेपित। गुरुरत्र पिता। ननु तल्पश्य्यायां प्रसिद्धः कथं भार्याळाभोऽत आह। तल्पति। प्रसिध्वप्रसिद्धिनिवंधनः शक्तिर्ळक्षणाव्यवहार इति मतेनेदस्। वस्तुतस्तु तत्रापि शक्तिरेव "तल्पं शय्याऽद्वदारेष्विति" कोशादिति (अमरकोशे शाशाश्यद्धः) बोध्यस्। गमनं चात्र रेतःसेकपर्यतः वन्महापातकं तयोरवाङ्गिः वृत्तौ तनुपातकस्। महशब्देन कर्मधारय इत्याह। महिति। ततोऽत इनीतीनिरित्याह तद्योगिति। ननु संज्ञाकरणस्य न किंचित् फलमत आह। छाधवार्थामिति। छव्वर्थं संज्ञाकरणमिति महाभाष्योक्तेरन्यथा सर्वेषां विशिष्य तत्र तत्रोपादाने गौरवं स्यादिति भावः। एकशेष-बोध्यसाहित्यनिरासायाह। प्रत्येकामिति। एतत्तत्त्वमग्ने तत्रैव स्फुटीमाविष्यति। तदाहेतीति। इत्यादिवक्ष्यमाणरीत्येत्यर्थः।

न्यूनतां निराचष्टे । तथेति । प्रकारेति । सहरोत्यर्थः । आदिनाऽनुमंत्रादि । एवमग्रेन् ऽपि । न तु तेषां स्वरूपमतः क्रमेणाह । अन्वित्यादिना । चस्त्वर्थे । उपरोधे निमित्तं सूचयन्नाह । अमित्रमिति । नन्वेतस्य दुष्टत्वे किं बीजं ताहश्च्यापारस्य तत्रामावादत आह । अत एवति । तस्य तत्सहश्चादेवेत्यर्थः । हिंसेति । हिंसाजन्यफलेत्यर्थः । एवमग्रेऽपि । कस्य-चित्तद्मावशंकानिरासायाह । सर्वेषामिति । निर्धारणषष्टीयम् । तत्र तर्हि तस्मिन्विषये वा । ते असर्वे हंतृभिन्नास्तस्य तत्वस्यान्यतः सिद्धत्वात् । स्वर्गेति बहुवीहिः । कर्मास्विति विषयसप्तमी । तत्र तारतम्यमाह । यो भूय इति । भूय इति अव्ययमातिशयभित्यर्थकम् । तत्र प्रयोजकादीनां मध्ये । तत्र तेषां त्रयाणां मध्ये । आदिनाऽधीष्टादि । तत्र च उपदेष्ट्विषये ।

उभयत्र शंकते । निवति । अनुमननस्य संप्रत्यपर्यायस्यानुज्ञानस्य प्रवृत्युत्तरव्यापार-रूपमनुमननांतरमाह । न चेति । अहेतुत्वादिति अन्वयव्यतिरेकव्यभिचारादिति भावः । अत १० एवाह । व्यर्थेति । यत्र हीति । स्वयं मनसा प्रवृत्तोऽपि भृत्यादिर्यत्र स्थले राजादिपारतं व्याय-दन्यतरं भयं ततः शिथिलप्रयत्नतः सन्नित्याद्यर्थः । अत्रान्वयव्यतिरेकयोः सत्वात्तवामिति भावः । एवं चैतत्परमेवेदं न सार्वत्रिकमिति बोध्यम् ।

निमित्तकर्तारमाह । तथेति । आकृष्टः । निर्मिर्त्तितः । मन्यूत्पादने निमित्तांतरमाह । तथेति । अन्वयव्यमिचारेणातत्वमाह । न चेति । कस्यचित्शांतस्य विरक्तस्य पुरुषेति । १५ तथा च मन्यूनां नानात्वेन मन्युसामान्यं प्रति आक्रोशाद्यन्यतमस्य हेतुत्वासंभवानमन्युविशेषं प्रति तस्य हेतुत्वासंभवानमन्युविशेषं प्रति तस्य हेतुत्वासंभवानमन्युं प्रति तस्य हेतुत्वासंगित नोक्तदोष इति तात्पर्यम् । तदाह । येऽह्गेति । एवमेतेषां साम्येन फल्संबंधे उक्ते प्रायश्चित्तसाम्यं स्यादत आहैतेषां चेति । गुरुशब्दः सर्वत्र धर्मपरः साक्षात्कर्त्रशे उक्तम-

मि. पृ. २३९ प्यापस्तं बीयं युक्तितौल्येनित्राप्याह। यो भूय इति। ततः अनुमाहकात्।तत्रापि २० तारतम्यमाह । प्रयोजेति । उक्तमेव व्यतिरेकमुलेन द्रद्ध्यति । यदीति । प्रयुक्तिः प्रेरणा । स्थपितमीं इति । स च तहामकर्ता च तत्लिनता तदादीनामित्यर्थः । जैमिनिन्यायमाह । शास्त्रोति । देवकुळं देवालयः । अस्वर्गेति । स्वर्गकामनास्त्रपाधिकाराभावादित्यर्थः । प्रकृते वैलक्षण्यमाह । अत्र पुनिरिति । प्रयोजकात् त्रिविधात् । अत एवाह । प्रयोजेति । तद्विना तद्मपृत्रया तस्यांतरंगत्वमत्र तु नैविमिति तत्वम् । इति भावः । अत एव लघुत्वमिप मात्रमवधारणे २५ येनातिप्रसंगः स्यात् । किंत्वन्यथासिद्धत्वघटितेन तेनेति प्रकृते तत्र तयोरन्यथासिद्धत्वान्न तत्वमिति ।

नन्वेवं तद्यिपूर्वभावित्वस्य का गतिरत आह । कारणेति । तथेति । पूर्वेत्यर्थः । तदे-वोषपाद्यति । यदिति । स्वरूपातिरिक्तत्वमपि व्यापारिविशेषणम् । अत्रोदाहरणमाह । यदिति । सोमस्तदाख्यो यागः । तदेवाह । न हीति । प्रसंगानुल्ययुक्तचाऽन्यद्याह । अनेनैवेत्यादि । ३० कूपखोति बहुनीहिः । उपसंहरति । अत इति । अन्यदिष तद्ददाह । तथेति । गोरिति पूर्वा-न्विय । सर्वत्र निमित्तसप्तमी । संप्रदानस्याधिकरणत्विविक्षया सप्तमी । योददत्स इत्याद्यन्वयः । दाहेति तत्सिद्ध्यर्थं दाहादिरूपं प्रयत्नैरुपकुर्वतां तन्न विद्यते इत्यर्थः । तत्रापि शेषमाहैतच्चेति । औषभदानसेगनिद्यनयोर्थे निपुणः स तदिषयमित्यर्थः । दर्शित इति । व्यवहाराध्याये

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इति भावः । अन्यद्प्याह । यत्रेति । तुरुक्तवैरुक्षण्ये । मन्योनिंमित्तभूतमाक्रोशनादिकमित्यर्थः । दोषिपुरुषस्य तथा करणे बीजमाहोन्मोति । अकारणिमाति कियाविशेषणम् । अन्य-द्प्याह । तथेति । आकोशकोति बहुवीहिः । महत्येति दैवात्तरानीं मरणामावेन स्थित इति शेषः । मरणादिति । कार्छातरमरणादित्यर्थः । अत्र मत्कृतप्रहारे उद्दिश्येति आक्रोशकादिक-मृदिश्य कोपपूर्वकप्रहारवान्तेन धनं दत्वा तोषितः सन् पश्चात् जनान् श्रावयेतत्तदा तिसमन्कार्छातरे मृते तस्य न दोष इत्यर्धः । 'हन्वेति' पाठे कृपित आत्मानं खड्नादिना प्रहृत्य स्थितो धनं तत्त्वेति शेषेण तोषित इत्याद्यर्थः । तद्वत्तेनापि श्रावणं कर्तव्यमित्याह । 'तयोरिति' कर्तुः शेषत्वमि. पृ. २४० विवक्षया षष्टी । ताम्यां आत्मधातकाक्रोशकाभ्यां तिसमन्कृते सित तस्य न दोष इत्यर्थः । 'द्वयोरुवारणे कृते' इति पाठेऽप्येवं बोध्यम् ।

नन्वेतेषामुत्तरोत्तरं दोषात्पत्वं यथोक्तं तथा प्रायश्चित्तमि वाच्यं मूलानुक्तत्वादत आहेतेषां चेति । तत्वसंगस्य तत्रैव सत्वादिति भावः । विशेषमिति जातावेकवचनम् । ॥ २२७ ॥

याज्ञवल्कीये २२८ श्लोकः।

एवं महापातकान्युक्त्वा तत्सदृशान्यनुपातकानि वकुमुद्देशकमेणादौ तदाह । ब्रह्मोति । गुरुणामिति । पित्रादीनां सर्वेषामित्यर्थः । बहुवचनबलादिति भावः । अधेरर्थमाहाधीति । विनेदार्थकाधिक्षेपपादार्थमाहान्वति । ज्ञाताज्ञातमिथ्यापतनीयपापामिशंसनमित्यर्थः । तत्र मानमाह । गुरोरिति । अत्र जातावेकवचने क्षेपशब्द एवोक्तार्थकः । अध्यधीति उपर्युपर्सत्यर्थक-मिति तु मदनः । विशेषमाहैतच्चेति । लोकेत्यनेन स्वनिरासः । दोषमिति । परेषां दोषं बुध्दा समाख्याता पूर्वो न स्यादित्यन्त्रयः । तथा च दोषबाहुल्येन निमित्ते तत्रापि महत्वं कल्प्य-मिति प्रथमत एव दोषकथनं निषिद्धमिति तत्रैव तत्समप्रायश्चित्तमिति भावः । नास्ति एवं पर- र लोकाभावादिब्राह्मणविषये महापतकस्यैवोक्तत्वादाह । बाह्मोति । असच्छास्त्रोति । चार्वाकादिशास्त्रित्यर्थः । चार्थसमुच्चये तत्ववारणायाह । प्रत्येकिमिति । चस्य र वन्यथाऽप्युपपत्तेरिति भावः । अविरोधमाह । यत्युनरिति । कथंचित्वं भरणान्वाये ॥ २२८ ॥

याज्ञवल्कीये २२९ श्लोकः।

विद्धराहो ग्रामस्करः । शेषेषु प्रागुक्तषडन्येषु । तेनैव मनुनैव । 'जैह्ममिति' पाठे १५ उद्गात्रादित्वाद् । जेह्ममिति पाठे ब्राह्मणादित्वात् व्यञ् । अस्यादृष्ट्चरत्विनरासायाऽऽह । अस्ति चेति । निमित्तेति । उद्देश्येत्यर्थः । ह्विरिति । ''यस्योभयऽ्हिवरार्तिमार्छेदेंद्रं पंचैशरावमोदनं निर्वपेदि" त्यत्र तथा सत्येकहिवर्नाशेऽपि तिसिद्धिरिति भावः । द्वयेति । द्वयस्य निष्पाद्केत्यर्थः । समुत्किषे इति निमित्तसप्तमीत्याह । समुदिति । आत्मन इत्यादिः । अचतुर्वेदे एव स्वस्मिन्सेवनं तन्मुखचुम्बनं ॥ २२९ ॥

याज्ञवल्कीये २३० श्लोकः।

स्त्रचादिद्दं कृत्वा पुनररश्वादिद्दंदः । तस्य च हरणिमत्यत्रानुषंगः । उक्तयुक्त्यैवाऽऽह । मि, ए. २४१. ब्रांह्मोते । एतादिति । सर्वे प्रत्येकमित्यर्थः ।

याज्ञवल्कीये २३१ श्लोकः।

सखीतिबहुवचनांतानां दृंदः। गमनिमत्याध्याहारः। विशेषपरत्वे बीजमाह। सत्वेति। व्यवहारे मूलोक्तिरेवेयम्। तत्रेवं उत्तमजातीयायामेव तस्यां।स्वयोनिरिति बहुवीहिः। एकोद्र-प्रस्तेत्यर्थस्तदाह। भगिनीति। चांडालीति। न तु रजक्याद्यास्तत्र प्रायश्चित्तस्य स्वल्पत्वात्। इदमप्युपलक्षणं। तथा चांगिराः

"चंडारुः इवपचः क्षत्ता सूतो वैदेहकस्तथा। मागधायोगवौ चैव सप्तेतेंऽत्यावसायिनः"॥ इति ।

प्राग्वद्ग्रह । प्रत्येकमिति । विशेषमाहैतच्चेति । प्रायश्चित्तस्य गुरुत्वादिति भावः । स्त्री-ग्रहणेन जायाभिन्नास्विप निषेध इत्याहुः । गुरूपमुक्तसाधारणास्त्रीगमने न गुरुतल्पगत्वदोषः । तथा च व्याद्यपादः

"जात्युक्तं पारदार्यं च कन्यादूषणमेव च । साधारणस्त्रियो नास्ति गुरुतल्पत्वमेव चेति ॥" १० पौनरुक्त्यं परिहरति । सगोत्रेति । तथा च हारीतः "मातृदुहितृरनुषागमनामित्यतिपातकानि" । "अतिपातकिनस्त्वेते प्रविशेयुर्हुताशनम् । न ह्यन्या निष्कृतिस्तेषां विद्यते हि कथंचन" ॥

इति प्रागुक्तसर्वतात्पर्यमाहात्र चेति । तन्निमित्तपरिगणनप्रैकरणेत्यर्थः । उपेति अतीत्यर्थः । एवमग्रेऽपि ।

सर्वत्र शंकते । निन्वति । हेत्वसिद्धिमाह । न चेति । एवमात्रशन्दौ मिथो न्यावर्तकौ । न १५ मेति । येन तत् बलाहोषगौरवं कल्पेतेति भावः । किंत्विति । एवं च न तत्प्रायश्चित्तं किं त्वदितिनोक्तदोष इति भावः । तथा सत्येतेषामि महत्वेन महापातकत्वांतर्गतत्वेन भेदोकि-रनुपपन्नत्याह । यत इति । ननु ति किंतदेव प्रायश्चित्तमृत्रानुष्ठेयमित्यत आह । तचिति । किंचिदिति । इदमग्रे स्फुटीभविष्यति । आदिना कषिसमो ब्राह्मण इत्यादि । ननु सिति तात्पर्येऽतस्तथैवास्तामत आह । महत इति । अविरोधमाह । एवं सतीति । ततोऽन्यूनत्वे सित २० इत्यर्थः। ब्रह्मोङ्झता अधीतवेदस्यानभ्यासेन विस्मरणं नित्यस्वाध्यायविधेस्त्यागो वेति मेघातिथिः। कौटसाक्ष्यं समुत्कर्षादन्यत्रापीति सः । ग्रहितानचयोरिति पाठे गिर्हतं पलांद्वादि । अनच्यममेध्यादीति स्मृतिमंजर्या। गर्हितं शास्त्रानिषद्धमि लोके निदितम् । अनचं लशुनादीति तु कल्पतरुः। गर्हिता-नाययोरिति पाठे गर्हितं शास्त्रानिषद्धमि लोके निदितम् । अनचं लशुनादीति तु कल्पतरुः। गर्हिता-नाययोरिति पाठे गर्हितं शास्त्रानिषद्धमि लोके निदितम् । अनचं लशुनादीति तु कल्पतरुः। गर्हिता-नाययोरिति पाठे गर्हितं शास्त्रानिषद्धं लशुनादि । अनायम् अमनस्तुष्टिकरं न भोज्यमेतन्मयेति संकल्प्य यद्भिज्यते तद्पि अनुमनर्हत्वात् इति मेघातिथिः । एविमिति विकल्पविषये इति २५ भावः । अत एवाह । यन्विति । अलीकिति । असत्याभिधानेन चित्तसंक्षोभे इत्यर्थः । कन्या ते गर्भिणीत्येवमादिना निष्प्रयोजनो देषः । कुच्छ्रस्थानेकविधत्वादाह । द्वादशिति । चः समुच्चये । मितपूर्वेऽभ्यासे च तदाधिकयात् ॥ २३१ ॥

याज्ञवल्कीये २३२,२३३ श्लोकौ ।

समपदाभावादाह । गुरुतल्पातीति । अन्यत्रान्यशब्द इति न्यायादितिभावः । स्वसार- ३० मित्यस्य मध्यमणिन्यायेनान्वयः । तनयां स्वसुताम् । तत्र विषये पुंसि वा कार्य इति शेषः । तस्येतिपाठांतरं तदाह । तस्येति । पुनस्तस्यासत्वादाह । प्रायश्चितीति । मिथः सभुच्चयस्या- मि. पू. २४२, न्यथाऽपि सिद्धेराह । चेति । स्रीपदं त्रिभिः प्रत्येकमन्वयि । तत्सस्ती भगिनी-

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ससी । धात्री उपमाता । साध्वी पतिवता । उत्कर्तनात् तत्पूर्वकवधात् । विशेषमाह । राज्ञीति । उपदेशादिति । इदमप्रे स्फुटीभविष्यति । योगार्थस्यातिप्रसक्तत्वाद्भृद्धिमप्याह । मात्रिति । नन्वत्र मातृपद्मनुचितं तत्र तस्य मुख्यत्वादन्यथाऽन्यज्ञातिदेशो न स्यादत आहात्र चेति । नारदीये इत्यर्थः । यथा तत्र तत्वं तथाऽत्रापीति वचनव्यक्तेरिति भावः । विशेषमा- पंचेति न जात्विति । व्याख्यातम् । वधस्यैवेति । अत्रेत्यादि दंडक्षपस्येत्यर्थः । नन्वेवं बाह्मणे किंप्रायश्चित्तमत आहास्य चेति । विशस्य प्रायश्चित्तक्षपविषयमित्यर्थः । प्राग्वदाह । अत्र चेति । अतिदेशमध्ये इत्यर्थः । इदमग्रे स्फुटीभविष्यति ।

तुर्यपादं व्याच्छे। यदा पुनिति। तत्र लिंगाभावादाह। वध पवेति। एतेषां संज्ञाया अनुकेराहैतानीति। यथाह यम इति। गत्वेत्यस्य यास्तासामान्यतमामित्यादिः । मातृपितृयोनि
१० संबद्धांगिति। अत्र हरदक्तः "मातृसंबंधा मातृपक्षेऽर्वाक् पंचमात् भवाः। पितृसंबद्धास्तत्पक्षेऽर्वाक् सप्तमाद्भवाः। योनिसंबन्धा भगिन्याद्यः। यएता भार्यात्वेनाधिगच्छित स मातृपितृयोनिसंबंन्धगः।"

स्तेनो ब्राह्मणसुवर्णापहारी। नास्तिकः प्रत्यभावापवादी। निंदितं प्रतिषिद्धं तत् बुद्धिपूर्वकं सातत्येन योऽनुतिष्ठति स निंदितकर्माभ्यासी। पतितान् पुत्रादीन्सनेहादिना यो न त्यजित स पतितात्यागी। यस्त्वपतितानिषि द्वेषादिना त्यजित सोऽपतितत्यागी। एते सर्वे पतिताः। पातकः

१५ कर्मीभिः परान्ये संयोजयाति तेऽपि तथिति। एतेषां च गुर्विधिक्षेपादितनयागमनांत्सनां। तृत्यानीति। किल्पनीति परान्ये संयोजयाति तेऽपि तथिति। एतेषां च गुर्विधिक्षेपादितनयागमनांत्सनां। तृत्यानीति। किल्पनीति परान्ये संयोजयाति तेऽपि तथिति। सहस्रं वर्षसंख्यया नरकमित्याद्यन्वयः। द्विगुणं वर्षसहस्रमेव तुरीयं वर्षसहस्रस्यैव । यतु विष्णवादिभिः कल्पमन्वंतरचतुर्युगाद्गिरकोपभोगकालत्वमुक्तं नित्पातकतारतम्येन व्यवस्थितं ज्ञेयिसिति भावः॥ २३२॥ २३३॥

याज्ञवल्कीये २३४-२४२ श्लोकाः।

मि. पृ. २४३. उपपातकत्वमित्रशेषात्सर्वत्रेति सूचयन्नाह । गोपिंडोति । लक्षणेति भावः । वात्यः संस्कारहीनः स्यादिति ' कोशो विशेषपर इति सूचयन्ननित-प्रसंगायाऽऽह । काले इति । षोडशद्दाविंशतिचतुर्विंशतिपंचदशैकविंशतित्रयोविंशतिकवर्ष-रूपब्रह्मन्नविद्धप्तन्यनकाले तदभाववानित्यर्थः । अत एव सावित्रीपतिता बात्या इति संगच्छते । २५ गृहीतस्येति । आत्मिपृतृपितामहादिभिक्तमणीदित्यादिः । अतिनगम्कत्वादाह । तथा देवेति । यज्ञाध्ययनप्रजारूपस्येत्यर्थः । ब्रह्मचर्याद्यकरणमापि देवन्नणं अनेति । अश्याधानाभाव इत्यर्थः । काम्यत्वाभिप्रायेणाशंकते । नन्विस्वंयागः । अयं भावः । यदाहवनीये जुहोतीत्यादिनाऽभीनां तन्न विनियोगः । न चाधानेन विना तेषां निष्पत्तिरित्याग्नेषु प्रयुक्ताधानमापि प्रयुक्तामिति न स्वर्गीर्थं नाधिकारांतरसंपत्यर्थं वाऽभीनादधीतेत्याधानं किं त्वभिनिष्यत्यर्थमेवेति न विहिताकरणप्रयुक्त- वेषसुवर्णाद्यनार्जकस्यवेति तद्दत्फलसत्वे एवाश्यर्जनमिति नित्यत्वाशयेन समाधत्ते । उच्यते इति अस्मात् । मूलोक्तदोषादेव वेदस्य नित्यत्वस्य प्रागुक्तवादाह । नित्येति । सत्यिकारेऽभीनाद धितत्यादिश्चत्व इत्यर्थः । अधिकारः कामना । आधिति नित्यादिः । अपेति निषिद्ध - विक्यस्येत्यर्थः ।

सहोद्देत्यनेन भिन्नोद्दिनिसः । तथा च गौतमः 'भिन्नोद्दे च पितृव्यतनये तथा दाराग्निहोत्रसंयोगेन दोषः'। पित्रेवेद्न इति भिन्नोद्दे सापत्नश्रातिर द्त्ते जनककुळे ज्येष्ठश्रातृसत्वे तस्य विवाहाद्। पित्रेक्तृत्वं न । नापि ज्येष्ठस्य पिरिवित्तित्वं । इदमथ द्वामुख्यायणदत्तकपरं द्वामुख्यायणे त्वस्त्येव दोष इति दानहीरावळी । पितृव्यतनये इति तु देवरेणोत्पादितस्य श्रातुः क्षेत्रजाः । पुत्रस्य विवाहाद्। देवरपुत्रादेर्ने पिरवेत्तृत्वादिदोषः । नापि देवरपुत्रविवाहौ ५ क्षेत्रजस्येत्याशयकं । न यथाश्रुतपितृव्यपुत्राभिन्नायं पिरगृहीतस्य तस्य दत्तपदेनैव संग्रहादपित्गृहीतस्य प्रसक्त्यभावेन निषेधाप्रवृत्त्या प्रतिप्रसवासंभवादिति दिक् । इयं च "षष्ठी चानादरे" इति षष्ठी । तमनाद्वत्येत्यर्थः । अग्रिमविशेषणद्वयफळे तु स्फुटे एव । तथा च स पिरवेत्ता पिरविविदान इति चोच्यते । एवं ज्येष्ठायामनृद्वायां या कनिष्ठा विवाहिता साऽग्रेदिधिषू ज्येष्ठा तु दिधिषूः । एवमनाहिताग्नौ ज्येष्ठे कनीयानाद्धितेत्यर्थः । धाता कनिष्ठः । ज्येष्ठः पर्या- १० हित इति बोध्यम् ।

मृतादित्यस्यार्थमाह । पणिति । पणपूर्वकमेव योऽध्यापयित तस्मादित्यर्थः । द्वितीयस्यार्थमाह । पणिति । तत्समेत्युपलक्षणं तदातिदेशिकस्यापि । कनीयिस आतिर । तद्वान् परिवित्तिः । निषिद्धेति । धान्यवृद्धिजीवनमपि तदिति मदनः । लवणिक्रयेत्यस्यार्थमाह । लवणिति । एतद्व वानप्रस्थमित्रस्य । तस्य तु 'लवणं च स्वयंकृतमिति' मनुनोपदेशात् । स्रीशृदेति खंडण १५ व्याच्छे । क्रिया इति । अपिना अबाह्मणीसमुच्यः । आत्रेयी रजस्वला गर्भिणी अत्रिगोत्रोत्पन्ना चिति त्रिविधाऽऽत्रेयीत्यर्थः । इद्मुपलक्षणम् । अग्निहोत्रिणी सवनस्था च या तद्धिन्नाऽपीति मदनः । त्रत्रानुपातकत्वात् । अत एवाहाद्गिक्षितेति । अन्यायेति शास्त्रोक्तान्येत्यर्थः । ब्रह्मोति द्विविधस्येन्त्यर्थः । आदिना वेदनिद्नकृतजीवन अनिषद्धिविक्रयस्यापि पण्यस्याराजस्थापितायोपजीवन-मितिमदनः । ग्रहणं स्यापि । अयोति सामान्यग्रहणं । स च दास्यार्थमिति बोध्यं । एवमात्ममार्या- २० विक्रययोरपि बोध्यम् । असारेति स्वर्णस्त्रपाम्यामन्यदित्यर्थः । नित्यार्थमिति । अत्र विहित-प्रायश्चित्तावश्यकत्वार्थमिति । प्रायश्चित्तार्थमिति यावत् । तत्किलितमाहात इति । जातीति यैथासंख्यमन्वयः । आदिना पतितादिगृहादिति । अरक्षणमित तथेति मदनः । आरामपदार्थ-

मि. पृ. २४४. माहोद्योति । विदेति मिथ्यांतदोषस्यापनमपि तदिति बोध्यम् । तद् ध्वनयनाह । न तिवति । तस्य च तस्यैव च । परिविदंकस्यैव च शेषे षष्ठी । तु हि यतः । अशिष्टे- २५ ध्विति । अविहितेष्वनिषद्धोष्वित्यर्थः । शास्त्राद्धिन्दः पु शिष्टाहतेष्विति यावत् । इदं च 'सम्यक्- संकल्पजः' काम' (आचारे ७) इत्यनेन प्रतिपादितं। अपिना देवताराधनाद्यर्थं गृहीतब्रह्मलोपस्य प्रायश्चित्तार्थं प्रक्रांतकुच्छ्रादिवतच्युतेः संकल्पात्मकवतस्य त्यागमित्याकरणान्यतरक्ष्पस्य तस्य च समुच्चयः शिष्टाप्रति पाठांतरं । प्रवंद्धपेष्टिवत्यनेन मया भोजनव्यतिरकेण जलं न पातव्य-मित्यादिपरिग्रहः । प्राप्त्यर्थमिति । उपपातकत्वप्राप्तवर्थमित्यर्थः । अतिप्रसंगमंगमाह । न ३० त्विति । तत्र ह्यातकवतलोपे। अग्रेऽन्वयः । स्नातकिति ''वेदोदितानां नित्यानां कर्मणां समितिकम" इत्यस्य पूर्वीर्धं । सामान्यस्य विशेषपरत्वे मानमाहाद्यमिति । तस्यैव पाकस्यैव । ननु वैपरीत्यं कृतो नात आह । कियेति। मात्रं कात्स्यां । अग्रमित्यत्रान्येषामिप कल्पनापत्त्या मूलाभूतनानाश्चृति-कल्पनापत्त्याः च गौरवं स्याद्धित्यर्थः । प्रतीत्युभयान्विय । निषादस्थपत्यधिकरणन्यायोनाऽऽह ।

मधपाया इति । अन्यत्र सामान्येन दोषस्योक्तत्वादाह । जायेति । अपिमः अन्यस्या अपि । अत एव स्त्रीयुक्तिः । प्राग्वदाह । श्रौतेति । संस्कारेति । जातकर्मादित्यर्थः । सतीति संमा-षणायकरणमपि तथेति बोध्यं । तत्र तेषां मध्ये । स्त्रीधनं व्यवहारे निकिपितं । अत्रोदाहरणमाह । यथा हि कर्मेति । उक्तमिति शेषः । सामान्यमहणादाह । भार्येति), जामिरपतिका । प्रवर्तनं ५ प्रेरणं । इद्मुपलक्षणं जालबिङशादिविधानक्षणं तृणादिमहायंत्रप्रकर्तनक्षणं चापि बोध्यम् । शूद्रपेध्य-मित्यस्यार्थमाह । शूद्रोति । हीनेष्विति । जातितो गुणतश्चेत्यर्थः । साधिति वेश्यादीत्यर्थः । चार्याकादीति । वेदविरोधिन इत्यर्थः । सर्वमहणेन मामादिनियोगव्यवहारदर्शनदंडमहण-नियोगविरपि परिमहः। विकय इति । प्राग्वदयं बोध्यं आदिनाऽसत्प्रतिमहादि । तथा च मनः

"गोवधोऽयाज्यसंयाज्यं पारदार्यातमिक्कयं । गुरुमातृपितृत्यागः स्वाध्यायाञ्रज्ञोः सुतस्य च ॥
"परिवित्तिताऽतुजेनूढे परिवेदनमेव च । तयोदीनं च कन्यायास्तयोरेव च याजनं ॥
"कन्याया दूषणं चैव वार्द्धुध्यं वतलोपनं । तहागारामदाराणामपत्यस्य च विक्रयः ॥
"वात्यता बांधवत्यागो भृत्याध्यापनमेव च । भृताचाध्ययनादानमपण्यानां च विक्रयः ॥
"सर्वाकरेष्वधीकारो महायंत्रप्रवर्तनम् । हिंसौषधीनां स्रचाजीवाऽभिचारो मूलकर्म च ॥
"इंधनार्थमञ्जष्काणां दुमाणामवपातनं । आत्मार्थं च कियारंभो निंदिताचादनं तथा ॥
"अनाहितामिता स्तेयमृणानां चानपिकया । असच्छास्राधिगमने कौशीलं व्यसनिक्रया॥
"धान्यकुष्यपशुस्तेयं मयपस्तीनिषेवणं । स्तीशूद्रविदृक्षत्रवधो नास्तिवयं चोपपातकम् ॥" इति।

संयोज्ये भावे पदार्थपारदार्ये मत्वर्थनंताद्भावे ष्यञ् । त्यागस्याग्रेऽध्याहारः । भृत्या मृत्येक ओषधीनामशुष्काणां हिंसा छेदः च स्रज्ञाजीवः स्त्रिया जीवनमुक्तमेव । अभिचारः इयेनादिना ' मारणं । मूलकर्म मंत्रीषधादिना वशीकरणं । निंदितान्नस्य लशुनादेः सकृदिनिच्छया भक्षणं । २० बुद्धिपूर्वाभ्यासे तु सुरापानसमत्वमुक्तं । कौशीलं कुवृत्तं । चारणत्वं नर्तकर्वं गायकत्वं च वादकत्वं ।

चरमतुर्यगदार्थमाहैषामिति । अन्यानि उपपातकंतः । तान्येव क्रमेणाह । ब्राह्मणेति । क्रजःकुत्यं दंडहस्तादिना शरीरपीडाकरणं । शास्त्रे मक्षणप्रतिषेधवत् व्राणाप्रतिषेधस्याभावेऽपि यदभक्ष्यं तद्वेयमित्यस्य यागार्थमुपात्तस्य वृतादेरमक्ष्यत्वेऽप्याव्वेयत्वसत्वेनाभावेऽपि तीक्षण- १५ दुर्गधविशिष्टं व्राणविकारजनकं मयसाहचार्यादंभक्ष्मं लशुनपुरीषादि अग्नेयं । मृगाः आरण्याः कृष्णपत्याद्यः । अजश्वाविश्व । स्वार्थे कः । वध इत्यस्य पूर्वज्ञाप्यध्याहारः । निदिताः जातिकर्मदुष्टाः प्रागुक्ताः । तेभ्यो धनग्रहणं प्रतिग्रहतो न । तथा च दत्तस्य ग्रहणमस्त्येव । असभ्यस्य अक्षिक् क्रस्य । असत्यस्यति प्रचुरः पाटः । वयसां पाक्षणां । हत्या हिंसा । मद्यति मद्येन सहैकस्मिन्पीठकादा- वानीतस्य मूल्यकादेभीजनमिति बहवः । मद्यानुगनस्य मद्यसंमृष्टस्य तदिति तुं मेधान् । तिथः । एधः काष्टं । अधैर्यं स्वल्पेऽपि निमित्तेऽतिवैकल्यं । अनुक्तमाहात इति । उक्ता-दित्यर्थः । जातं समूहः । अत्र मानं दर्शयितुं संज्ञांतरमपि प्रदर्शयितुं चाह । बृह्दिति । मि. पृ. २४५ स्वार्थे इयसुन् । तत्संयोगश्चोति महापातकामिति वचनविपरिणामेनान्वयः । अतिपातकान्याह । मात्रिति । माता सपत्नमाता । अनुपपातकान्याह । यागस्थित्याहि ।

यागस्थेति दीक्षितेत्यर्थः । वैश्येऽप्येवं बोध्यं । अविज्ञातेति स्त्रीत्वादिनेत्यर्थः । पत्न्या-श्वतुर्मिः संबंधः । एवमग्रेऽपि । पूर्वनिपातप्रकरणानित्यत्वादत्र प्रयोगसाधृता सर्वत्र बोध्या । इत्येतान्यनुपातकानीति पाठः ।

उपपातकान्याहाहतिति । राजगामि राज्ञा श्रूयमाणं । अभोज्येति । भोजने निषिद्धानामित्यर्थः । जल्वरा जलकुकुटादयः । जल्जा मीनादयः । प्रासंगिकं जातिश्रंशं- ५ करादि । आदिना जातिश्रंशादिंपरिग्रहः । ननु पतनहेतुत्वेनाऽऽह । पतनेति । उक्तमेव व्यतिरेकमुखेन द्रृढयति । यदीति । परीति । गौतमाभ्यामिति भावः । अवीति तस्यानेकत्वान्तदेवाह । द्विरिति । ननु सर्वस्यापि ग्रहणमस्तु । अत आह । तत्रेति । विशेषशून्येऽभ्यास-मात्रेंऽगीिकयमाणो इत्यर्थः । यत्रेति । कर्मविषये इत्यर्थः । तस्यासार्वत्रिकत्वादाह । प्राय-श्रित्तेति । अन्यतरतु सार्वत्रिकामिति भावः । अतिप्रसंगद्तं वारयति । दिवेति । पातित्यं १० तद्भेतुत्वं । उपसंहरति । अत इति । ॥ २३४ ॥ ॥ २३५ ॥ ॥ २३६ ॥ ॥ २३७ ॥ ॥ २३८ ॥ ॥ २३८ ॥ ॥ २३८ ॥ ॥ २४० ॥ २४० ॥ २४० ॥ २४२ ॥

याज्ञवल्कीये २४३ श्लोकः।

अनतिप्रसंगायाह । कुत्वेति ।

"ब्रह्महा द्वादशसमा कुर्टी कृत्वा वने वसेत्। मैक्षाश्यात्मविशुध्यर्थमिति" तदादिः इदं च १५ मि. १. १४६ कपालभेदसंभवे। तदसंभवे तु तदेकदेशाभ्यामुभयं कार्य। वातेति। प्रार्थयंतीति विणिच्। अन्यस्य दैवानमृतस्य। सद्गाचात्र शविनिहरणार्थं। तदंगमेव ध्वजशब्देन विवक्षितमित्य-पराक्तींकि खंडयति। न पुनिरिति। रूढियोंगमिति न्यायवल्लोकप्रसिद्धितः शास्त्रप्रसिद्धेरत्र बलवत्वाचेति भावः। तस्य वासस्थानान्याह। तथेति। पक्षांतराण्याह। ग्रामेति। आदिप्राह्ममे एफुटमेव। अंतशब्दः समीपवाची। गोब्राह्मणहिते अत इति पाठांतरम्। तेनैव मनुनैव। वाशब्दो २० न प्रागुक्तवनापेक्षया विकल्पबोधकरतस्य बहुव्यवहितत्वात् तं विनाऽपि वचनद्यप्रामाण्यादि-कल्पस्य लाभाचात आह। कृतेति। तथा च स पूर्वान्वयी नोत्तरान्वयीति भावः। बालेति। धमरीलोमवस्र इत्यर्थः।

अग्रिममूलार्थमाह । तथेति । ताच्छील्ये णिनिरिति भावः । अत एव वश्यित । नियम इति । आगाराणि गृहाणि । एवेनाधिकनिरासः । मृष्टं श्ठक्षणं । विशिष्टेति । यमोऽपि १५ भितागाराण्यपूर्वाणि यन्यसंकल्पितानि च । प्रविश्य तानि शनकैविधूमे मुक्तवज्जने ॥ भिक्षामेनो विख्याण्य संचरेत् । एककालं चरेद्रैक्षं तदलब्धोदकं पिनेत्" ॥ इति ।

सेति आह।र्याभोज्य। चेत्यर्थः । तेनैव वसिष्टेनैव । एवेन संकरिनरासः । चातुर्वण्ये स्वार्थे ध्यञ् । अभिसमीक्ष्येति शेषः । संयतः उपयोगादन्यत्र मौनी जितेदियो वा । इदमपि पूर्व-पूर्वासंभवे शेयं ।

अभिममूलार्थमाह । तथेति । विशेषे बीजमाह । वेश्मन इति । अनुक्तमाह । तथेति । आदिमाह्यमनुषद्मेव स्फुटीभविष्यति । संवत्सरानित्यादि कालाध्वनोरिति द्वितीया । आर्थस्य विमादेर्दशनात्पथो मार्गादपकामेत् । अत्र मछेत् इत्यर्थः । स्थानासनाभ्यामित्यनेन

तथा च भविष्यत्पराणे

"उत्थितस्तु दिवा तिष्ठेदुपविष्टस्तथा ानीशे । एतद्वीरासनं नाम सर्वपापप्रणाशनामिति ॥" स्पृत्यंतरोक्तमर्थमभिप्रोति । उपलक्षणत्वेनाह । ब्रह्मोति । गौतममेवाह । वर्जेति । इतीति वर्जनरूपादिधर्मेत्यर्थः । अनतिप्रसंगायाहाचीति । तेषामपि प्राप्त्यर्थमित्यर्थः । स्थानवीरासने यस्य स्तः सः। मौनीति न्याख्यातं। क्रूष्मांडमंत्रैः। "यहेवा देव हेलनं देवासश्चकुमावयम्" ^५ इत्यादिभिराग्निकार्ये कुर्यादित्यर्थ इाते मदनः । तैः सदाजप इत्यंन्ये । तैरुभयमित्यपरे । जपेदिति पाठांतरं । मौंजीत्यादेरन्वयायाह । तस्येति । अत्र च । गौतमीये च । सवनेषु । कालत्रयेषु । अन्यद्प्याह । तथेति । इदं स्नानसूचितमेवेति ध्वनयन्नाह । स्नानविदिति । अत्र सन्ध्या प्रातःसन्ध्येवेति केचित् । संध्यात्रयमित्यपरे । वचनात् गौतमवचनात् । चोऽप्यर्थे । एवेनान्यनिरासः । उभयत्र गौतमार्थमाह । द्विजेति । सामान्यान्याहाध्येति । विशेषा-भूतान्याह । ब्राह्मोति । आदिनाऽन्यश्रौतस्मार्त्तकर्मपिरिग्रहः । विहितानामिति शेषः । हानिरिति । त्यागस्तेष्वनधिकारः पतनिमत्यर्थः । एवन्यछेद्यमेवाह । न सर्वेषामिति । तावन्मात्रेति ब्रह्म चर्यानंगभृतद्विजातिकर्मेत्यर्थः । अन्यथा दक्षवाक्यस्थसर्वशहः-संकोचापत्तेः । अत्र प्राधान्यात् द्विजातिग्रहणं न तु ज्ञूदादिन्यावृत्त्यर्थे तेषामपि तत्त्वस्य प्रागुक्त-त्वात् । एवमन्येऽपि स्मन्यंतरोक्ता धर्मा द्रष्टव्यास्तेषां च यत्र विरोधस्तत्र विकल्पो यत्राविरोध-९५ स्तत्र समुच्चय इति व्यवस्थाविशेषमाहेयं चेति । एवमग्रे सर्वत्र बोध्यम् । तत्र .आकांक्षायां सत्यां । अत इति शाखांतराधिकरणन्यायेनैकोनगुणोपसंहारन्यायेन।विकद्वसर्वागोपरा।दित्यर्थः । अपिना तथात्त्वे तदौचित्यं ध्वनितं । अनीति । आविचार्यैवत्यर्थः । पदार्थानुक्त्वा वावयार्थमाहैविमिति । उक्तप्रकारेणेत्यर्थः । अकामकृतेति सकुत्कृतेत्यपि बोध्यं । ब्रह्मोति बाह्मणमात्रवधेत्यर्थः ।

- "तत्र सामान्यतो हत्वा ब्राह्मणं सुरसत्तमाः । प्रायश्चित्तं तु वै कृत्वा विधिवत् द्वादशाद्धिकं ॥ "प्राप्नोति शुद्धिं जीवन्वै स्वर्गं च स्वजनैः सह" इति । मनुरिति । गौतमीयं व्याचक्षाणो "ब्राहत्यासुरापानं गुरुदारगमनान्यनिर्दिष्टव्यप्रायश्चित्तानीति" मनुराहेति वर्णयित्वा "मतिपूर्वमिनिः दिश्यं प्राणातिकमुपस्थितमिति" "कामतो ब्राह्मणवधे" इति च मनुवचनं । तत्र संवादार्थ- मुपन्यस्तवान् । कलिनिषद्धेषु तु
- "प्रायश्चित्तविधानं च विप्राणां मरणांतिक्रमिति" स्तयान्यमहापातकनिष्पत्तिरिति चीकन्मिति बोध्यं। ब्रह्मवधादिषु प्रायश्चित्तानां भिन्नानामुपदेशात्तंत्रता नेत्र संभवतीत्यत आह । द्वित्रीति। द्वंद्वपूर्वककर्मधारयः। एकस्मिन्निति । आकृत्यधिकारणन्यायेन तस्य आतिपरत्वात् व्यक्ति-पक्षेऽपि वृत्तावुपसर्जनेषु संख्यासामान्याभावसत्वादिति भावः। एकति अनकमध्ये इत्यर्थः। तदेव विशद्यति । तत्रेति । अनेकमध्ये इत्यर्थः। एकति बहुवीहिः। इदं तन्निरासकं। प्रयोगिति तदंग-अतानामित्यर्थः। प्रत्येकमिति शेषः। एवेन प्रतिनिमित्तं नैमित्ति कमावर्तत इति न्यायप्राप्तावृत्ति निरासः। दशें पूर्णमासे च यागत्रयमाग्नेयादिकं प्रधानं । उपकारोति अदृष्टजनकृत्वक्रपेत्यर्थः। गुक्तवादि एकब्राह्मणवधपपतः। गौतमवौधायनायाहिनस्ति । पापभेदाकाशोपि भिन्न इत्याहि विस्ति । इति । इत

संहयति । न चेति । नापीत्यर्थः । प्रमाणमस्तीत्याह । यञ्चोति । यद्पीत्यर्थः । अपिः पूर्वसमुच्चये । एवमग्रेऽपि । द्वित्रीति प्राप्तेत्यादिः । तान्निमित्तकेत्यर्थः । आवृत्तावन्वयः । तद्माचिति आवृत्य-भावत्यर्थः । एवं च द्वयोश्चतुर्विज्ञातिवार्षिकं वृतीये षट्त्रिंशद्वार्षिकं चतुर्थादौ नेति तात्पर्य । द्वितियोति । इदमुपलक्षणं वृतीयेऽप्येवं बोध्यं । अनुष्ठानेति तस्य यत्द्वेगुण्यं तद्विशीत्यर्थः । तथा च द्वयोः षट्त्रिंशद्वार्षिकं त्रिषु द्विसप्ततिवार्षिकंमिति भावः । अपिना तुर्यपाद्विषिसमुच्चयः। वाक्येति । प अनेकविषेतिते भावः । केचिनमतमुंपसंहरति । तस्मादिति । अप्येवौ प्राग्वत् । दाद्वर्याय दृष्टातांतर माह । यथा इत्यादिनेति पाटः । यस्याहिताग्नेरिग्रिगृहान्दहेत्स इति पूर्वशेषादाह । गृहोति । आपिरेक-समुच्चायकः । एवेनावृत्तिनिरासः । तंत्रन्यायेन तक्यायस्य बाधादिति भावः । न हीति । यतो वचनत्वादेव तद्विरोधे तंत्रन्यायः प्रबलो भवतीत्यर्थः । चस्त्वर्थे । आवृत्तीति द्वैगृण्यादीत्यर्थः । तथोक्तिपललं त्वनुपदमेव स्फुटीभविष्यति । पूर्व वचनान्यथागतिं कृत्वा तंत्रन्यायेनावृत्तिन्यायस्य बाध १० उक्तः । सैव नेत्याहैवमिति । तस्य तत्परत्वे सतीत्यर्थः । प्रवृत्तिरिति । प्रायश्चित्तानुष्ठानप्रवृत्ति-विशेषप्रतिपादकत्वेन सफलतरमित्यर्थः । इतरथा तस्य तद्विधिपरत्वाभावे तर्वि किंपरत्वमतः प्रागुक्तभेवाह । शास्त्रत इति । प्रतिनिमित्तमिति । न्यायत इत्यर्थः ।

प्रागुक्तदोषं परिहरति । न चेति । नेक्षेतोधंतमित्यादिवज्ञजः पर्युदासार्थत्वेन द्वैगुण्याय-विवक्षया तात्पर्यतो हक्ष्यार्थमाह । चतुर्थादीति । तद्प्युपरुक्षणमिति भावः । तद् इयोखिषु १५ च त्रीणि चत इत्यादिवदिति भावः । तस्य गुरुत्वमपि सप्रमाणमित्याहः । किंचोति । अन्यथा तदादाविप तथेव निर्वाहे तदुक्तिरफ्छेव स्यादिति भावः । एवं ज्ञापकेन साधितेऽर्थे वचनमपि मानमस्तीत्याह । तथेति । न तद्ददित्यर्थः । ततः पूर्वतनमेवाह । यत्स्यादिति । अज्ञात्वेत्यर्थः । तथा सत्याह । न चेति । न हीत्यर्थः । उपसंहरति । अत इति । तंत्रायोग्यत्वादित्यर्थः । अपिर्वचनसमुचयः । आवृत्तिद्विगुण्यादिह्या । अत एव दृष्टांतवैषम्याह । क्षामेति । आदिना १ प्रयाजादेरपि परिग्रहः । अत एव "तगति ब्रह्महत्याम्" इत्याद्यकवचनसंगतिः । किंच तत्यत्यक्षे

मि. १. २४९. सास्थिपाणिवधे यहानमुक्तं तदेव तत्सहस्रवधेऽपि स्यात् । न तु शूद्रहत्यावतं । एवमनस्थिवधे ये प्राणायामा उक्तास्ते शकटपरिमितमारणेऽपि स्युः । किं च सक्टत्कताद्वस्वधादनेक-पापोत्णात्तिरपि स्यात् । अधिकरणद्वयविरोधोऽप्यन्यत्र स्पष्टस्तस्मादावृत्तिरेव युक्तः । तदाहृत्यस्त्रमिति । एतेन तंत्रमेव युक्तं । विधेरिति दु यत्र पापविशेषे आवृत्तिविधायकं वचनमस्ति तद्विषयमिति वदन् २५ शूस्तः प्रयुक्तः । अयुक्तेस्तर्यार्नथक्यस्य दुक्तस्त्रस्त्राचेति दिक् । प्रायश्चित्ताभावेति । सर्वथा तत्र प्रायश्चितमेव नास्तीति केचित् । यथा ज्ञानेन द्वितीयादौ कृते तत् द्वेगुण्यादि तथा चतुर्थे न किंत्विकि नेत्यन्ये । आधिऽज्ञानकृते द्वादशाब्दं द्वितीयदे वृतीय त्रीणि चतुर्थे चत्वारीति द्वादशाब्दानि दश भवंति तेषामाचरणकास्त्रो विश्वत्याधिकं शतं शरदो भवंति तावत् आयुषोभावाद्यानि दश भवंति तेषामाचरणकास्त्रो विश्वत्याधिकं शतं शरदो भवंति तावत् आयुषोभावाद्यक्तित्वेन तदभावो न तु स्वरूपत एव तदभाव इति मदनः । शसजननार्थं तद्वक्तिः । यतो ३० निष्कृतिरेव न । अतस्तन्त्र कार्यमिति च । तद्मगुणामिति कियाविशेषणं । गुणेति पाठांतरं । अत एव तत्र प्रायध्वितसत्वादेव पूर्णे चानसीति । अनः शक्टं । अनस्त्रामिति शेषे पष्टी । आस्थिमतां तु सन्वानां सहस्रस्य प्रसकृत्कते यक्षोक्तं तिन्निभिद्दिगुणं मासात्यं चगुणं षण्मासाह्रगुणं अवदाद्विशिष्ते। स्वत्वाने प्रवित्ति स्वति तिनिभिदिगुणं नासात्यं चगुणं षण्मासाह्रगुणं अवदाद्विशिष्ते। प्रवित्ति स्वति । एवमुपपातकाभ्यासेऽनुक्तप्रकारविशेषे

सर्वत्रेति इद्मग्रे रफुटीभविष्यति । तस्यैवेति तथा व्युत्पत्तेः प्रागुक्तत्वात् साक्षाद्वधापेक्षया प्रयोजकादि-वधो व्यवहित इति संनिहितस्य साक्षाद्वधस्यैव परमदुरितापूर्वोत्पादकत्वामिति तस्यैव संपूर्ण-मेतेन यथाऽन्यद्रव्यस्य द्रव्यस्वाम्याज्ञादिनान्येन दाने आज्ञादिकर्तुरेव पूर्वी न तु साक्षाद्दातुस्तथा-ऽन्याज्ञादिनाऽन्ये हते आज्ञादिकर्तुरेव वधफलं पूर्णे युक्तमित्यपास्तम् । स्वत्वत्यागपूर्वकप्ररस्वत्वा-पादनस्य दानत्वेन स्वामित्यागादेव स्वत्वत्यागेन दृष्टातवैषम्यात् । अत्राज्ञादिकारिणो ऋत्विगादि-तुल्यत्वात् ।

अत एवानुक्तमाहानुग्राहकोति । तत्ति ति । इदं च प्रागुक्तं तदेवाह । तत्रिति । एवं सामान्येनोक्त्वा प्रकृतं विशेषमाहात इति । उक्तसामान्यिनयमादित्यर्थः । तस्य अनुग्राहकस्य अर्घापेक्षया किंचिन्न्यूनमर्धमध्ये पादोनं तदाह । सार्घेति । चरमे मानमाहात एवेति । तत्र रे॰ तत्सत्वादेवेत्यर्थः । मनुरिति । सुमंतुरप्येवं । निमित्तांतरमाह । गृहेति । प्रतीति । अर्थागामिनी-मित्यर्थ इति केचित् । प्रवाहतस्तथेत्यन्ये । निभित्ते एव भेदमाहात्यर्थमिति । अत्यंतमित्यर्थः । निर्मित्तेत्याद्वायकः । वे इति पाठांतरं । इदं वपनं वतांगभूतं । तत्वेव मन्वादिनैव । अन्ययेवेति । अनेनैव मार्गेणेत्यर्थः । तत्र मानमाहा-स्यां चेति । प्रयोजियत्यादिसामान्योक्तेः । अत्येऽत्यप्तरसंसंघस्य सूचनाचेति भावः । भक्तमश्रं शाक्तिमांश्चेदुपेक्षक इत्यर्थकं । एते सर्वेऽकार्यकारिणो बोध्या इत्यर्थः । ततः किमत आहेषा-मिति । आदिशाह्यमग्रे स्फृटं । वर्षाणि पूर्णानीति शेषः । अगिर इति । विष्णुपराहारबृह्द-स्पतयोऽप्येवं । च्यवनोऽपि "बालवृद्धिणामर्थं प्रायश्चित्तमाषोढशाद्वाहारुः सप्तत्यृद्धं श्यितर" इति । स्मृत्यंतरमाह । तथेति । तथा च बालत्वे वृद्धत्वांशे विकल्पः स्मृतिद्वयप्रामाण्यात् । स् "अर्थमेव भवेत्युंसामिति" पाठः । तुरीद्र्यं पदं । एवं चार्थपाद्योषित्सु विकल्पो बोध्यः । तत्यसंगादान्यः हानुपेति । अत एवापिः पादे । यतिपादप्रमाणमेवेत्यर्थः । एवंनार्धनिरासः । अन्यया पोन-रुक्त्यं स्पष्टमेव । इदानीं त्वन्यस्यापि ताहशस्य परिवहः । सर्वेति । वर्णथर्मेषु पतनीयेवित्यर्थः ।

अतश्चेति । चेन "स्यात्कामचारमक्षोाकिर्महातः पातकाहते" इति स्मत्यंतरसमुचयः । अत एव प्रागुपनयनात्कामचारेत्यादिप्रागुक्तगौतमीयं महापातकवर्जमिति स्मृत्यर्थसारे । अत " एव वर्णधर्मान्वर्जयित्वेति व्याख्यातं व्याख्याता । शंखेनिति । आंगिरसाऽपि कर्तः प्रतिनिधिः ^{३५} शंखद्ववक्तः "ऊनैकादशवर्षस्य पंचवर्षात्परस्य वा । चरेद्वुकः स्वकृत्याऽपि प्रायश्चित्तं विशुद्धये" इति । अत्र बालस्य यद्विहितं प्रायश्चित्तं तदेव गुर्वीदिता कर्तव्यमिति तात्पर्यार्थ इति करुपतसः । यमेनापि

"अपूर्णेकादशान्दस्य चतुर्वषिधिकस्य च। प्रायश्चित्तं चरेन्माता अन्ये वाऽत्यस्य बाधवाः॥" इति । अतः पंचवर्षाक्रयूनस्य तत्रैव प्रतिनिधिविधिवी । यमोऽत्येवं परामिति । अतः एव बाल
क तरेषु पादादि नयूनं कल्प्यामिति माधवः । यद्यपि बालांशे "तृतीयांशो भवेत्वुंसामिति" तत्र
पाठानुरोधेन द्वादशतः षोडशपर्यतमर्द्धं ततः प्रागुपनयनपर्यतं नवमवर्षाततृतीयांशस्ततः प्राक्
षडुर्षातं पादं पंचवर्षपर्यतं पापमेव नेति व्यवस्था संभवति तथाऽपि सा न युक्ता पंचमादिवर्षस्याप्युपनयनकालत्वेनोक्तव्यवस्थाया असंभवात् । विकल्पस्य दुर्वारत्वात् । वृद्धांशे गत्यभावात् । अत

एव चतुर्वर्षाधिकस्थेति यमोक्तिः । तस्माद्विकत्पस्याष्टदोषदुष्टस्यापत्योक्तव्यवस्थेव युक्ता उक्त-विकत्पस्तु दुरुद्धरस्तवापि यथाकथंचिद्यवस्था कार्या वा । एवं ऊनपंचवर्षस्य न प्रायश्चितं न पापभिति भंथास्तु प्रायेणोपपापाद्ययेन योज्याः प्रागुक्तगौतमादिति बोध्यं । तदेतत् ध्वनयन्हेतुं तत्राह्यश्चमेति । अत एव वर्णधर्मान्वजीयत्वेत्येव प्रागुक्तं तदानीं ब्राह्मणादेः सत्वाद्मह्मचारित्वादे-

मि. वृ. २४४ रसत्वात् इति भावः । मनुमाह । तस्मादिति । "सुरा वै मलमनानां पाप्मा च ५ मलमुचित" इत्यादिः । उपसंहरन् शंखादितात्यर्यमाहात इति । तत्रापि तत्सत्वादित्यर्थः । तस्यैव पितुरेव । अन्येषां तु तत्वं तत्स्थानापन्नत्वादिति भावः ॥

विशेषांतरमाह । यत्र पुनरिति । कर्तृत्वे सतीति शेषः । उक्ताशयानभिज्ञः शंकते । च चैवामिति । स्वाशयं प्रकाशयति । अत्रेति । हि यतः । पूर्वत्रेत्यर्थः । न च न हि । कुतः मूळ्स्यैवाभावात् । तत्रैव शंकते । न चेति । मित्रेति प्रयोजकतया कुतेत्यर्थः । उक्तमर्थं दृष्टांतेन १० दृढयति । अत इति । उक्तहेतोरित्यर्थः । नियोगो विधिः ।

विरोधं परिहरति। यदिति। एवममेऽपि। ब्रह्महेति। तथा सतीति शेषः। अस्योभयत्रान्वयः। सर्वेत्यनेनांतःपातिसकलपापनिरासः सूचितः। एवमन्यस्यापि लघोः। विष्रौ सर्वथेत्यर्थकौ। हापि भीति पाठेऽपिरन्यमहापापसमुच्चायकः। प्रतीतिपाठांतरं। सवनस्थोति। यज्ञस्थगुणवद्भाह्मण- कर्मकहननविषयकामित्यर्थः। ननु नायमुक्तप्रतिनिधिरस्य ततो गुरुत्वादत आहेतच्चेति। वक्ष्यमाण- १५ मूलमाह । द्विगुणमिति । हते सति हंतु।रिति शेषः। अनावृत्तेति। प्रागुक्तेत्यर्थः। तत्र हेतु- नाह। तत्र हीति। यतो द्वादशवार्षिके इत्यर्थः। इति एवं।

उक्तमेव द्रक्यित । यद्यपीति । तत्र वन्याद्याहारस्य सर्वत्रत्वादिति भावः । अत्र द्वाद्श-विषि । आदिनाऽन्यधर्मपरिग्रहः । अत एव तत्वाभावादाह । तुरुयत्वामिति । ननु किमेतावताऽत आह् । तत्रश्चेति । तस्य तत्तुल्यत्वाञ्चेत्यर्थः । पराश्चरमाह । प्राजेति । अत्र द्विविधस्यापि तस्य २० ग्रहणमिति भावः । अशक्ताविति ,छेदः । तस्मा अपि प्रतिनिधिमाह । गवामिति । तन्मूल्यं तासां मूल्यं शास्त्रपरिकल्पितं । वाशब्दः समृत्यंतरोक्तान्यपक्षसंग्राहकः । अनेनापीष्टासिद्धिरेव न संशय इत्यर्थः । न्यायेन इति रीत्या । अत इति । यत इत्यमत इत्यर्थः । तत्राशीत्यपिकशत-द्यधेनवाधिवयं तु न । अत्राप्युक्तरीत्या क्षेश्राधिकस्य सत्वात् विषयांतरासंभवाञ्च । तदेतत् ध्वनयन्त्राह । यथोक्त पवेति । यथाकममाह । गविति । तस्य समुज्ञयस्य ।

तस्य सत्वे मानमाह।तथा चेति। उक्तवानित्यत्रान्वयः। तस्य तत्त्वविवक्षया सर्वत्र सप्तमी। अन्नाह्मणे क्षत्रियादौ। अत्र समत्वं लौकिकं। लोके हि समलवणः सूप इत्युच्यते। तथा च य तत्रतात्युक्तं तद्वच्यते। एवमत्रापि ब्रुवशन्दः कृत्सायां घरूपेति सूत्रभाष्यादौ प्रसिद्धः। जातिमात्रब्रह्मणोऽध्ययनादिगुणहीनस्तत्र द्वैगुण्यादि च संख्यास्तुतिमात्रं अर्थवादत्वादुत्तरोत्तरं पात्रतातिशयेन फलातिशये तात्पर्य उपकारापेक्षमिदं सर्वं बोध्यं। आचार्य उपनेता। "अनंते 30 वेद्पारगे" इति मानवे तुर्यपादः। तत्राध्ययनश्रवणाभ्यां तत्पारगानां समहारद्वंदः। दाने पात्रभदेन समादिक्षं फलतारतम्यं स्यादित्यर्थः। गतेत्यत्र संख्यायाः संवत्सरेत्युत्तरपद्वद्वद्धः। साहस्त्रे-

त्यत्र प्रकृतिरिष प्रकरणात् विशिष्टपरा । आनंत्ये स्वार्थे ष्यञ् । गवां सहस्रमितिवदस्यापि व्यवस्थान् माह । तथिति । तद्वदित्यर्थः । द्वादशिति "विष्रहा अरण्ये कुर्टी कृत्या वाग्यतः शवशिरोध्वजः शाणीपक्षमधोनाम्युपरिजान्वाछार्थे"त्पासुपक्रमादित्यर्थः । आ उत्तमादुश्वामात् । आमरणात् । साणी पक्षः । क्षणा सूत्रवस्रेकदेशः । भविष्यत्युराणेषि

''मातरं पितरं हत्वा सोद्यं भ्रातरं तथा । गुरुं हत्वा श्रोत्रियं वे" त्युपकम्येद्मेवोक्तं । तत्र तिस्मित् । अयं शंखोक्तः । तथा । च तत्रासमर्थस्य द्वादशवार्षिकगोसहस्रति तत्राप्यशक्तस्य षद्वार्षिकगोसहित्र तत्राप्यशक्तस्य षद्वार्षिकगोसहित्र तत्राप्यशक्तस्य षद्वार्षिकगोसहित्र तत्राप्यशक्तस्य षद्वार्षिकगोसहित तत्राप्यशक्तस्य षद्वार्षिकगोस्य सार्थाब्दगोसपादशते । इत्येवं सर्वेषां वर्णानां ब्राह्मणादीनां शक्तानुसारेणानुपृव्येण क्रमेण तथोः समुख्ययतदर्थः प्रायश्चित्तस्यातिगुरुत्वादस्य स एव विषयः । न च द्वादशाद्वादित्रत्वतुष्यष्ट
10 गोसहस्रादिदानचतुष्ट्यसहितमुक्त्वा सर्वेषां वर्णानामित्युक्तेत्रीह्मणादितःचतुष्टयविधिः कृतो नेति वाच्यं ।

"पर्षाचात्राह्मणानां तु राज्ञां तद्द्विगुणा मता । वैश्यानां त्रिगुणा प्रोक्ता पर्षद्वच त्रतं समृतिमिति॥" "शूद्रो वा ब्राह्मणं हत्वा प्रायश्चित्तचतुष्ट्यमिति" चांगिरोभविष्यतपुराणाभ्यां विप्रापेक्षयाऽन्य-वर्णानाविषकप्रायश्चित्तविधानादिति भावः । अत्र चतुर्विश्वातिमतविरोधपिरिहारस्तु वश्यते । भि. वृ. २५० एवमन्यत्राण्याह। द्वादशिति। ध्यवस्था सेव। अवस्तिता निश्चिता मानाभावात्। तत्र तेषु । व्यवस्थाया इति शेषः । विकल्पेति ऐच्छिकविकल्पेत्यर्थः । अपिः सिद्धांतसम्भृज्ञथे । अवकल्पते संभवति । अतुल्यत्वादौच्छिकविकल्पासंभवः । ननु स्वरूपतो वैषम्येऽपि फलतः साम्याचुल्यार्थास्त्विति न्यायेन स स्यादेवात आह । विकल्पेति । ऐच्छिकविकल्पेत्यर्थः । विषमिति । स्वरूपतः फलतश्च । सोऽप्येच्छिकविकल्पं इति भावः । व्यवस्थितविकल्पस्तत्रेति समाधते । ननु संभवे रेण सत्यपि क्रेशाधिकयात्र तत्रात आह । यद्वेति । जन् मुख्यकारणसत्वे कालभेदे मानाभावोऽत आहातिति । अंगापूर्वसहितप्रधानापूर्वजपरमापूर्वमेदस्य न्यायविद्धिः प्रतिपादिनत्वात् इति गावः । तत्रापि बीजामाहेतरथेति ।

उपेति यत इत्यादिः । रेणहीति पाठे तु नायं समुच्चयस्येति शेषः । अन्यथा आहोपिति । प्रकृते इति भावः । न च नापि । श्रुत्यादितिश्रुतिर्लिगवाक्यप्रकरणस्थानसमाख्यानां विषयानां शेषत्वविनियोजकानामत्राभावादित्यर्थः । एवं तदुक्तं , संसंड्य सिद्धांतमाहात उक्तान्यतमप्रकारासंभवादित्यर्थः । तथा च प्रागुक्तद्वितीयपक्षसमर्थनमिति भावः ।

ननु वचनांतराणि साक्षिमूतानि यत्र संति तत्रास्तु व्यवस्था। यत्र तु तद्मावेऽपि व्यवस्था कियते सा कथं श्रन्धेयेति चेन्न स्मृतिकारैरेव कल्पत्वोक्तेः। तदाह। सा चेति । व्यवस्था चेत्यर्थः। जात्यादिसापेक्षतदीक्षपूर्व प्रायश्चित्तं। तथा सक्नुत्कृतमन्यथा वा बुद्धिकृतमन्यथा वानुवंभादि । अनुबध्यते येनेत्यनुवंधो महापापं। आदिनाऽतिपातकादि। तच विज्ञाय प्रायश्चित्तिमित्यर्थः प्रकल्पयेदित्यस्यानुके तत्र तद्हयेदुकेषु तद्ववस्थापयेदित्यर्थः। अत एव

"देशं कारुं वयः शाक्तिः पापं चावेश्य यत्नतः । प्रायश्चितं प्रकल्यं स्यायश्चेताः नैवनिष्कृतिः व

याज्ञवल्कीये २४४ श्लोकः।

वाशब्दतः प्रतीयमानस्वातंत्र्यनिरासायाऽऽह । पूर्वोक्तिति । द्वादशवार्षिकेत्यर्थः । उद्देश्य-गतत्वादेकत्वमविवाक्षितामित्याहापीति । वश्यमाणरक्षणोपायतो भिन्नं रक्षणोपायमाहात्मेति । तद्वछिन्नस्वरारीरमित्यर्थः । विशेषमाह । यद्यपीति । बहुवचनमपानाचाशयं रीत्येति भावः । अकरणं च शक्त्यभावात्पूर्णशक्त्यभावाद्दा द्वेघा ज्ञेयं। प्रथगिति तन्निमित्तमित्यर्थः । ५ एवं च मनुरप्येतद्विषय एवेति न स्वतंत्रबोधक इति भावः । स्वकर्तृकाञ्चमधस्य वश्यमाणत्वा-दाह । परेति । स्नात्वा तत्रेत्यादिः । विशेषमाह । स्नानं चेति । राज्ञा अभिषिक्तेन क्षत्रियेण । समवाये मिथः संगमे तत्समूहे । स्वमात्मीये इत्याह । स्वीयमिति । विशेषमाह । यदीति । अनुज्ञात इति । तैरिति शेषः । तत्रेत्यस्य स्नात इत्यनेनान्वयः । दीनां च तेषामपि । अस्वेति । तत्र स्नातः शुन्यति । अन्यस्मिन्नपि यज्ञे अवभूथस्नातः शुभ्यति । स यज्ञश्चेद्ग्रिष्टुन्मध्य- १० स्तदंतो वेत्यर्थः । 'अंतः प्रांतेंतिके मध्ये' इति कोशः । प्रतिज्ञातं विशद्यति । अयं चेति । आदिना मरणं । अत्र दृष्टांतमाह । यथेति । प्राप्येत्यस्याग्रेऽप्यन्वयः । पक्षांतरमाह । ऋषेति । तृतीयपक्षमाहाभावे इति । तुर्यपक्षमाह । गृहेति । द्वादशे इति । स एवमिति तदादिस्तत्र 'पूर्णे सतीति' होषः । मनुसंमतमपीदमित्याहात एवेति । स्वातंत्र्याभावादेवोत्यर्थः । पंचद्श-प्रायश्चित्तकथनानंतरं सिंहावलोकनन्यायेनेति शेषः । आदिना १५ मि. प्. २५१. "गोप्ता गोबाह्मणस्य च।

"व्यवरं प्रतिरोद्धा वा सर्वस्वमवजित्य वा । विप्रस्य तिन्नामित्ते वा प्राणालामे विमुच्यते"॥(११।८०) इत्यस्य संग्रहः ।

रांखानभिज्ञः शंकते । ननु चेति । मुच्यते इति लडित्याशयेन तत्रत्यब्रह्महत्यस्य शिरःकपालीत्यत्राप्यन्वयादाह । ब्रह्मेति । प्रधानेति । द्वादशवार्षिकवतात्मकप्रधानानुपकारकत्वेन तत्वा- २०
दित्यर्थः । तदेवाऽऽह । प्रधानिति । अननुप्राहकत्वमेवाह । न चेति । नापीत्यर्थः । तथा विशेषानुक्तेरिति
भावः । किंचत्युक्तमुपसंहराति । अतोपरिति । मानवमेवाऽऽह । यथास्रीति । आदिनाऽश्वमेधादीनां
वेदस्य त्रिजेपांतानां 'कृते' त्यतः प्रागुक्तानां परिप्रहः । दृष्टांतासंगतिमाशंकते उक्तरीत्या । न चेति ।
मध्यपठितत्वमात्रं नागत्विनयामकं । किं तु स्थानप्रकरणान्यतरत् । न चेह तदस्ति कस्याकांक्षाभावादिन्याशयेनाऽऽह । यत हति । निश्चितेति निर्ज्ञानफलकत्वेनेत्यर्थः । सामिधेन्यो कचः । २५
निविदित्ते , तत्यद्वितानां कचामित्यर्थः । एकोति । तथा च तद्मकांक्षाभाव इति भावः ।
अभ्युपेत्याप्याह । न चेति । मना(?)पीत्यर्थः । मानवे तथासत्वेनाहैकांतिते । वार्षकमध्येति
वार्षिकोपक्रमोपसंहारमध्येत्यर्थः । मनुसम्मतमपीदमित्याहेदमेव चेति । आकांक्षाविरहरूपमित्यर्थः ।
तथा वाश्चत्यस्यात्रापि सत्वादाह । तथिति । उक्तरीत्योक्तेषसंहारानंतरं किंचिन्मध्ये उक्तानंतरमित्यर्थः । अत एवां पूर्वोक्तानां पंचद्शानां मध्ये उपसंहारः । सर्वेषामिति मेधातिथिरपि । ३०
व्यपाहिति अपहरति । आत्मज्ञानतया शास्त्रार्थकृताभिनिवेश आत्मवान न शास्त्रार्थमन्यथा वर्सेतेत्यर्थः । दृष्टात उपसंहरातं । अत हति । पूर्वपक्षमुपसंहरति । अतश्चिति । तेषां स्वातंज्यस्य युक्तत्वाचेत्यर्थः । मध्यपठितत्वमात्रं तु न तत्र नियामकं अस्य तत्त्वस्य मानवादौ सत्वेऽपि न तादृशं किं

तूक्तरीत्येति तस्य तत्त्वं दुर्वचमेव । तदेतत् ध्वनयन्नाहैकफलेति । साक्षादेकफलकत्वादित्यर्थः। नन्वेवं कथं तथैकफलकत्वमत आहांगस्यैवेति । नन्वेवमपि तदनुपकारकत्वात्प्रधानविरोधितं तद्वस्थमेवात आह । न चेति । नापीत्यर्थः । कस्यैवेति ताहश्वतानुष्ठानस्यैवेत्यर्थः । एवेन केवलव्यवच्छेदः । उपसंहरति इतीति ॥ २४४ ॥

याज्ञवल्कीये २४५ श्लोकः।

किंचेति । तस्यान्यं तादृशसमाप्त्यविधमाहेत्यर्थः । एवमग्रेऽपि । आयो वा मिथो विकले दितीयः पूर्वविकले विशेष इति तथा चोपायमेद्कृतो रक्षणमेदो न तु स्वत इति भावः । तद्द्दा-हासुनैवेति । तिक्तमित्ते । औषधदानादिनिमित्तके ॥ २४५ ॥

याज्ञवल्कीये २४६ श्लोकः।

१० आनीयेति । विप्राय द्त्वेति शेषः । तोवाविशुध्यतीत्यस्यानुषंगः । वेत्यस्यामेऽपि संबंधा-मि. पृ. २५२. दाह । यदि देति । तद्दाहात एयेति । ज्यवरामिति कियाविशेषणं । प्रतिरोद्धः तद्र्थं प्रवृत्तः शस्रेण क्षता उत्तरार्धं हिंसायां आनीयेति समानार्थं । सर्वस्वमिति । अस्यापि स्वातंत्र्याभावमुक्तरीत्यैवाहेतस्येति ॥ २४६ ॥

याज्ञवल्कीये २४७ श्लोकः।

श्रेप लोमप्रमृतीति । सक्यं चश्चरपहंतुमितिवत्ययोगः । प्रकारेति लोकिकास्युपसमाधादिरूपेत्यर्थः । तदेव ततश्चेति चतुर्थ्या तदंतेन तेषां संख्यामाह । चिति । अत एव मज्जांतामित्येवोक्तं ।
श्रूणहित । "श्रूणहननं वक्ष्यामो ब्राह्मणं हत्वा श्रूणहा भवति अविज्ञातं च गर्म अविज्ञाता हिः
गर्भाः पुमांसो भवंति तस्मात्पुंस्कृत्य जुहुते" इत्यादिमंत्रमाह । लोमाद्गीनिति । मंत्रांतरमाह । लोमासिरिति । अत्र च मूले च ! उपसंहरन्सिविशेषमाहातश्चेति । तेषां देवतात्वाभावाचेत्यर्थः ।

रे सामर्थ्यात्वसामर्थ्यात् । किचित्रथेव पाठः । स्वाधितिना लुरिक्या । अतः उक्तहेतोः । वाजसनयके तु मंत्राः श्रुताः "लोमभ्यः स्वाहा त्वचे स्थाहा लोहिताय स्वाहा मांसाय स्वाहा स्रावभ्यः
स्वाहा मेदसे स्वाहा अस्थिभ्यः स्वाहा तच्चे स्थाहा लोहिताय स्वाहा मांसाय स्वाहा स्रावभयः
स्वाहा मेदसे स्वाहा अस्थिभ्यः स्वाहा मज्जभ्यः स्वाहेति"। अत्र च लोमाद्गिनां मंत्रसामर्थ्याः
देवतात्वं । तेषामेव च लोमप्रभृति तनुं जुहुयादिति वचनसामर्थ्याद्वविष्ट्मपीति तु अपरार्कः उक्तं
तद्तियं विरोधपरिहारः । प्रायश्चित्ररूपलोमादिहोमे वाजसनेयेऽन्ये मंत्रा विरोधऽन्ये । अता
रेप मंत्राणामेककार्ये विधानात् विकल्पः ।तत्र वाजसनेयमंत्रग्रहणे मंत्रेषु चतुर्थ्यतनिर्दशाहोमादीनामेव
देवतात्वं । तदुक्तं भट्टैः

"ताद्धितेन चतुर्थ्या वा मंत्रवर्णेन वेष्यते । देवता नंगतिस्तत्र दुर्बहं तु परं परामिति"। हविरिषे उक्तहेतो छोमादीन्येव। न चैकस्योभयं कथमिति वाच्यं। छोमादीति द्रव्याणि हवीं थि। देवता तु तत्तच्छब्दसमवायिनी। तयोर्भेदात्। यदा तु वासिष्टमंत्रा गृह्यंते तदा तत्र ताद्धितचतुर्थ्योरभावा-नमात्रवर्णिकीदेवतामन्या तत्र छोमादिहविषां मृत्युसंबंधावगमान्मंत्रप्रकाश्य मृत्योरेव देवतात्विमिति। न शुद्धियत । यदि तदेति शेषः। इच्छयोति भावः। शास्त्राभितं औपासनं। अन्यदप्याह। तथेति। युक्तः पितृपेरितः सावधानो वा। चस्त्वर्थे। नेति औद्धत्यादिति भावः। अस्येत् क्षिपेत्। प्रिरिन्छवः पात्रादि।

त्रिरवागिति । उत्थायेति शेषः । विशेषांतरं ब्राह्मणहुंतुश्चिवारमभौ । शक्तिः संगः । प्रवेशः प्रायिश्वन्तिमत्यर्थः । अवधातस्येति पाठः । छोछेदने । पूर्वेषुः कृतोपवासस्यत्यर्थः । इदं चिति । मि. पृ. २५३. हरदन्तस्तु नेदं मरणांतिकं त्रिरिति नियमात अत्थायोत्थाय हि त्रिः पतन् यदि जीविते तदाऽप्यसो । शुद्ध एवेतीत्याह तन्न । सर्वस्मृत्येकवाक्यतया तथैव लाभा-लागुक्तमेव समत्यंतरमाह । तथेति । कथंचनेत्युत्तरान्वि । दाढ्यीय पुनराहैतच्चेति ॥ २४७ ॥ ५

याज्ञवल्कीये २४८ श्लोकः।

प्रायाश्चित्तांतरमाहेत्यर्थः । वार्थमाहाथवेति । ठक्ष्यार्थमाह । युद्धेति । तत्रापि विशेषमाहोभयेति । वलं सैन्यं। तद्र्थमाह । मृत इति। पक्षांतरमाह । प्रहारेति । मानवस्य विदुषामित्यस्यार्थद्दयमाह । प्रायञ्चित्ययमिति । प्रायाश्चित्तार्थं ठक्ष्यमावमापन्न इति । जामतामित्यर्थः ।
स्वेच्छयेन्यनेन प्रमादादंतर्गतस्य वधेऽपि न शुद्धिरित्यपि सूचितं। इदं चेति चेन पूर्वस्यापि संग्रहः। १०
अत एव तत्र सामर्थ्यादित्युक्तं । ब्राह्मणस्य कोमठहृद्यत्वात्तद्संभवः । तथा च भविष्यत्पुराणे ।

"हत्वा तु क्षत्रियो विषंगुणाढ्यमिह् कामतः । प्रायश्चितं चरेद्वीर विधिवत्कायशुद्धये ॥ "लक्ष्यं शस्त्रभृतां वा स्याद्धिषुषामिच्छयात्मनः । प्रास्येदात्मानमग्नौ वा समिद्धे त्रिरवाक्शिराः ॥ "यजेत वाऽश्वमेधेन- क्षात्रियो विषवातकः । प्रायश्चित्तत्रयं ह्येतं क्षत्रियस्य प्रकीर्तितमिति" ॥ तथा च भृगुपतनेन मरणांतिकं प्रायश्चित्तं क्षत्रियान्यस्यापि बोध्यं । तदशक्तस्य तु क्षत्रियस्यो- १५ करीत्या द्विगुण बोध्यं । भविष्योत्तरेऽपि

"क्षत्रियो निर्गुणो वीरो ब्राह्मणं वेदपारगं। निहत्य कामतो वीर रुक्ष्यं शस्त्रभृतां भवेत्।। ''चतुर्वदाविदं वीर ब्राह्मणं चामिहोत्रिणं। निहत्य कामेनाँतमानं क्षिपेदशाववाकिशराः॥ ''निर्गुणं ब्राह्मणं हत्वा कामतो गुणवान्त्रभुः। अजेत वाऽस्वमेधेन क्षत्रियो यो महीपतिरिति॥"

'मृतकल्प' इत्यनेनेव जीवनलामे पुनर्जावानित्युक्त्या जीवन्नपीत्यस्य लामादाहापीति । २० तिवृत्तमित्रिष्ठत् गुण इति तिवृत्तिवृत्तां । तथा च षड्यागविशेषाः "मनुना कीर्तितानीह त्रयोद्श प्रयानमिति" भविष्यं तु शस्त्रमिति ययोक्तमरणांतिकप्रायाश्चित्तद्यमिन्नपरमिति न तत् विरोधः । एतेन 'गोसवेनेति' 'स्वर्जिते'त्यस्य विशेषणं । भविष्यं त्रयोद्शत्वश्चतेस्तथा च द्वादश्चवार्षिक्यय्य वृद्धपरिहरत्वात् । वेपरीत्यमंभवेऽपि तथादुर्व(?)त्वातः। "यजेद्वाऽश्वमेधेन स्वर्जितागोसवसर्वस्तोमाभ्यां २५ वेति" हारीतिविरोधात् । तदाशयानवबोधाच्चेति दिक् । अस्यैव विशिष्टस्यैव । तत्र द्वितीये तावन्मानमाह । यजेतिति । आधे मानमाह । नासर्वेति । आपस्तंबीये । "राजा सार्वभौमोऽन्थमेधेन यजेत" तथा सार्वभौम इत्युक्तं । तत्र कपदीं अनियमश्च सार्वभौमः । सार्वभौमा भौमितिन्थत्वादेवाध्यसार्वभौमो यः शत्रियो बलवाद रक्षणसमर्थः यो वलोऽश्वमेधेन यजत इत्यनुवादात् । राजाप्रतिघ इति चेति । तथा च विकल्पस्तत्र बोध्यः । यद्वा आपस्तंबैकवाव्यत्या निषेधे ३० व्याख्याने च सार्वभौमशब्दस्तदुमयमिनपर इति न दोषः । यागानां व्यवस्थामाहेदं चेति । स्थावेति पूर्वान्वयि । अत एवाह । मरोति । चत्यारः आद्याः । मतीति पूर्वान्वयि । स्थित्वेति क्योगः । सन्नु 'स्वर्जिता गोसवेनेति' समानाधिकरणे इति मेधातिथिन

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पायाश्चत्त-याज्ञवल्कीये

स्तन्न । तयोभेदात् । अत एव प्रागुक्तहारीतादिसंगतिस्तत्ध्वनयन्नाह । स्विजितादयश्चेति। प्रथमिति । उयोतिष्टोमेत्यर्थः । द्वादृशिति । तथा च । कामकाराविषयत्वं तेषां इति भावः । वा नार्थे । पातित्या-वस्थायामिति भावः । अनधीति उक्तगौतमादिति भावः । आधानादेरिति उपकारकत्वे-ऽपीति शेषः । उत्तरेति नैमित्तिकेत्यर्थः । विनियोजकाभावादिति भावः । नन्त्रेवं प्रयोजकादौ भे ते न स्युरत आह । ते चेति । स्वर्जिदादयोऽपीत्यर्थः । न्यूनशब्दो धर्मपरः ॥ २४८॥

याज्ञवल्कीये २४९ श्लोकः।

किं चेति । त्रैवर्णिकस्य प्रायश्चित्तांतरमाहेत्यर्थः । एवमग्रेऽपि ! मनुनिर्वाहायाह । निर्जनेति । जनसामान्यसंचाररहिते इत्यर्थः । नियतः संयतः आहारो येन सः । आहाररहित इति यावत् । हार इति ।त्रि वै वेदस्य संहितामित्यग्रे शेषस्तत्र वेदसंबंधिसंहितां परसन्निकर्धमिति । शब्दोऽर्थस्तत्फिलतमाह । मंत्रेति । अत एवाह । संहितिति ।वेत्यस्यार्थो यद्देति । तस्याविद्यिन वादाह । प्रतिस्रोत इति ।

मि. पू. २५४. **हिविष्यं च मुन्यज्ञं नीवारादि । ग्राम्य**मपि पयोघृतादि । व्यवस्थामा-हायं चेत्यादिना । ताहरो एव अव्यवहितपूर्वोक्ते एव । तथा च भविष्यत्पुराणे

"हंता यदा वेदहीनो धनेन च भवेद्धुरः । तदेतत्कल्पयेत्तस्य प्रायश्चित्तं निबोध मे ॥

प "हविष्यभुग्वाऽनुसरेत्प्रतिस्त्रोतः सरस्वतीमिति"न । ननु सरस्वतीगमनं निमित्तपरतयाऽपि कृतो न व्यवस्थाप्यत इत्यत आह । निमित्तीति । चस्त्वर्थे । ब्रजोदिति । ब्रह्महत्यापनोदाय मिति मितभुक् नियतेंद्रिय' इत्युत्तरार्द्ध । मितभुक् न यावता तृष्यति । नियतेंद्रियो ब्रह्मचारी विषयालोळुपः। अशक्तस्येति छेदः । निर्जनदेशगम्मनाहाराभावात्रिवारजपैस्तस्येनोगुरुत्वादिति भावः । एतेन मेधा- तिथ्युक्ता सर्वेपामन्यथा व्यवस्था चित्येति ॥ २४९ ॥

याज्ञवल्कीये २५० श्लोकः।

ध्वनितं प्रायश्चित्तांतरमाह । किंचेति । 'पात्रे' इति सप्तमी । तस्य तत्त्वेन विवक्षया आदातुः प्रतिमहीतुः धनपदार्थमगविति । मन्वनुरोधेनाह । जीवेति । एतच दृष्टिक्षपं च चरुरिति तस्य स्थालीपाकस्य सत्वादिति भावः । अत एवाह । वष्टवेति । अत एव तदेवत्यत्वं रुव्धं । युक्तिविशेषेणेव विकल्पालाभादाह । वाशब्दादिति । उपेति । द्यादित्यर्थः । अस्यामेऽप्यनुषंगः । ५ परिच्छवशब्देन यावत् गृहोपकरणं सर्पिस्तैक्रधान्यादि कुंडकटाहादि कृष्यशयनासनादि तत्सर्वे गृह्यते ।

त्रयाणां व्यवस्थामाहेदं चेति । विषये इति । तत्राशक्तस्येति शेषः । अन्वयं संतितः मेधाथितिस्तु धनं हि जीवेति पाठं धृत्वा सर्वस्वं यावित्वं चिद्गोहिरण्यादिकं तत्सर्वे देयं। अत्रार्थं वादो 'धनं हि जीवनायालिति' यावता धनेन दत्तेनान्यसमै जीवितं दत्तं भवतीत्येव साम्यामिति । व्याचस्यौ । मदनस्तु जीवनपर्याप्तधनदानाशकः सोपस्करं गृहं द्वात् । तत्राशकः सर्वस्वं द्वात् । सर्वस्वपरिमाणमाहांगिराः

"सार्शातिपणसाहस्राद्वर्ध्वं सर्वस्वमुच्यते । निर्धनो ब्रह्महा शुध्येत्सुसाधिक्यान्नरेश्वरः"॥ इतीति व्यवस्थापितवान् । व्यवस्थामेवाविरोधायाह । यद्गीत्यादिना । 'चतुर्विधोपपन्ने' त्विति पाटः ।

चातुरित्यपपाटः । प्रथमांतपाठे सम्याविशेषणं विधिवद्विनिर्दिशेदित्युक्तं विधिमेवाह । सेतुबंधे तु बुध्कृतेत्यस्थेय विवरणं महेति । ततः स्नानात् । एतदंगमृतमंते दानमाह । इत्वा विति । सुपावि- न्नाणि गवादीनि चतुरि तदधीतवते पक्षांतरो मेदं "विध्यादुक्तरतो यस्य निवासः परिकीर्तितः" । पराश्रारमतं । तत्तस्य सेतुबंधस्य दर्शनिमित्यत्रैव छेषातस्यैवेदं नान्यस्येति बोध्यं । अत्र कह्प- तरी । सर्वोन्यथा । पराशरपाठः । तत्वं तु माधवतो श्रेयं । समानेति तत्राशक्तस्येति भावः । अत भ एव भविष्यत्पुराणे

"जातिमात्रं यदा हन्याङ्काह्मणं बाह्मणो गुह । वेदाभ्यासाविहीनो वै धनवानिप्रवर्जितः ॥ "प्रायश्चितं तदा कुर्यादिदं पापविशन्द्वये । धनं वा जीवनायालं धनं वा सपिरेच्छदं ॥

"यद्वा पराशरोक्तेन प्रायश्चित्तेन शुध्यतीति"। संवत्सरं अभिव्याप्य कुछूमिति जातावेक-वचनं । त्रिषवणीति त्रिषु सवनमभिषको यस्य स । षुञ् अभिषवे । त्रिवर्षणीति तु कत्पतरौ १० पाठः । वृषु सेचने । दंदोपपतिः प्राग्वत् । आध्यवसायः संकल्पः । जिघांसा हंतुमिच्छा । वृतीयं पश्चमाह । पराकेति । सप्रत्ययेति ज्ञानपूर्वकेत्यर्थः । एवमग्रेऽपि । अप्रत्येति छेदः । संगमे प्रायागारूयतीर्थराजे । उपसंहरति । एवमिति । विशेषमाहैतानि चेति । तु हार्थे । द्विगुणा

मि. पृ. २५७, अष्टौ बाह्मणाः त्रिगुणा द्वादशेतेऽत्र प्रजापतिरापि

"द्विगुणं त्रिगुणं चैव चतुर्गुणमथापि वा। क्षत्रविट् शूद्र जातीनां ब्राह्मणस्य वधे स्मृतमिति" ॥ १५ विपर्ययिनरासमाह । एवं चेति । तस्य द्विगुणौदो चेत्यर्थः । यथासंख्यमभेऽन्वयः । न्यूनतां परि-हराति । अनयेवोति । हीनोत्कृष्टेति । हीनेनोत्कृष्टवधे इत्यर्थः । हेत्वसिद्धिं परिहरित । दोषेति । कंठतोऽत्रापि दंडगौरवस्यानुकत्वादृष्टांतं मौलभेवाह । यथोक्तामिति । व्याख्यातामिदं । अपवादः । "अपवादस्तु निंदायाभाज्ञाविश्रंभयोरपीति" विश्वः ।

विरोधं परिहरति । यात्विति । आनुकोम्ये ह्नासोक्तेराह । प्राती । उपलक्षणोक्तानुरोधेनाह । २० चतुर्विधिति । चौर्यवाग्दंडपारुष्यस्त्रीसंग्रहणरूपेत्यर्थः । तत्र द्वेगुण्यादेस्तत्वादिति भावः । न्यूनतां निराचष्टे । तथिति । दर्शितं चेति । मूलकृतैवेति भावः । दंडेति व्याख्यातं । तथा सति दिकप्रदर्शनमाह । ततश्चेति । तद्वत्कल्पने चेत्यर्थः । अध्यर्थे अष्टादशवााष्ठकं । एवमन्यत्रापि । स्वसंनिहितोत्तमापेक्षयाऽधिकं स्वसंनिहितनीचापेक्षया न्यूनमित्येवं बोध्यं । प्राग्वदाहानयैवेति ।

तथैवाह । तथेति । आश्रमिणं गृहस्थभिन्नानां ब्रह्मचर्यादीनां । आपिः पूर्वसमुचये । २० ब्रह्मिति । तत्साक्षात्काराद्बीगित्यर्थः । शौचविद्दियनेन सूचितमाह । शौचविद्दितीत्यादिना । मान्वमाहैतादिति । शोधनिमत्यस्य व्याख्या प्रायश्चित्तेति । वर्द्धने भवतीत्यर्थः ।

तत्र प्रागुक्तमेव विशेषमाह । ब्रह्मोति । पुनस्त्वर्थे । प्रागुक्तांगिरसमध्यपाद्द्यमाह । वाल इति । वस्तुतस्तु तस्यात्रह्मचारिषु सफलतयाऽस्य षोढशवर्षोत्तरं सावकाशतया तन्मध्ये उभयमात्ती किं केन बाध्यमित्यत्र विनिगमकाभावादिकल्यः । तत्राहितीत्यायुक्त्याऽत्र कुर्युरिति विधेरुक्त्या प्राबल्ये- ३० नेदमेव वेति बोध्यं । पत्यंशे एवातिबहुकालत्वाच्छंकते । न चेति । विपत्तिर्भरणं । प्रवृत्तिरिति आदाविति भावः । व्यवसिते प्रारब्धेरेवासाविति । रेवस्यादिति पाठांतरं । तथा चोभयत्र शुध्या औध्वदेहिकादित्यस्य भवत्येवेति भावः । इदमन्यत्रापि बोध्यं । अविशेषात् । अत एव सामान्य-मप्याह । व्यासोऽपीति । न शक्नोति विपत्त्यादिना परिसमापयितुं । प्राप्ते केंत्रीरे कः ॥२५०॥

याज्ञवल्कीये २५१ श्लोकः।

अधुना मुख्यब्रह्महत्यायां प्रायश्चित्तकथनानंतरं प्रारंमात्पूर्व परिसमाप्तेक्तरं च नेदं स्थमहणा-दित्याह । दीक्षेति । इष्टिविशेषा एते । वर्त्तेति । प्रारव्धापरिसमापितसोमयागप्रयोगावित्यर्थः । 'यत्क्षत्रं निधाय स्वान्यायुधानि ब्रह्मण एवायुधेर्वह्मणो रूपेण ब्रह्म भृत्वा , यज्ञमुपनर्तत" इति । ^५ अन्वयाय शेषमाह । यदित्यादि । सवनगतावित्यत्र कर्तरि आदिकर्मणि कं । सवनं सोमाभि-षवः । एवं च द्र्शादिस्थे तत्र नायं दोष इति भावः । श्रुत्या सोमयागं प्रति क्षत्रियस्य सोम-यागकर्तुं बाह्मणत्वोक्तेश्व । द्वाद्शेति सवनस्थक्षत्रादिवषे इत्यादिः । अतिदेशप्राप्तं सांकर्यादि-निरासायाहात्र चेति । आतिदेशिके चेत्यर्थः । आदिनात्रेयीवधः । बहुवचनं तद्भेदात् । विशेषमाह । मरेति । त्रतशन्दस्य तत्रैव रूढेः । एवमन्यत्रापि बोध्यं । नन्वेवं काम-🦜 क्रुतेऽत्र तदमावापत्ति तत्र तस्यैव हितत्वादत आहात इति । तदभावादित्यर्थः । प्रागुक्तस्मृतित इति भावः । समन्यायेन अतिदिष्टत्वात्किंचेत् न्यूनतां प्राप्तां निराचष्टे । तच्चेति । द्वादुशेति । सवनस्थ-क्षत्रादिवंबे इत्यादिः । इत्यं हि क्षत्रादिवर्णानुवृत्तौ सः (१।९।२४।६-२०) "पूर्वयोर्वर्णयोर्वेदाः-ध्यायं हत्वा सवनगतं वाऽभिशस्तो बाह्मणमात्रं च । तस्याविज्ञातमात्रेयीं च स्त्रियं । तस्य निर्वेशे-अ**ण्ये कृटीं कृत्वा वाग्यतः** शवशिरध्वजोर्घशाणीपक्षमधोनाभ्युपरि जान्वाछाद्य । तस्य पंथा वांतरा १५ वर्त्मनी । दृष्ट्रा चान्यमुत्कामेत । संडेन लोहितकेन शरावेण ग्रामे प्रविशेद्भिशस्ताय भिक्षामित-सप्तागाराणि चरेत । सावृत्तिरब्धोपवासो गाश्च रक्षेतासां निष्कमणप्रवेशेन द्वितीयो ग्रामेथों द्वादश-वर्षाण चरित्वा शिष्टैः सद्भिः संप्रयोग" इति । पूर्वयोः क्षत्रियवैश्ययोः । वेदाध्यायो वेदाध्यैता-सवनगतो दीक्षणीयासंस्कृतः निर्वेशः प्रायश्चित्तं शणनिर्मितवस्त्रार्द्धपक्षं इत्याद्यर्थः ।

उत्तरार्द्धं व्याचष्टे । गर्भमिति । यथावर्णमित्यनुरोधेनाह । विन्नास्विति । अन्यव २० तत्वाभावादिति भावः । प्रागुक्तरीत्या गुरुणाऽल्पस्यापि, निर्वाहादाह । पुरुषेति । अत एव पूर्व विस्षष्ट उक्तः । अविज्ञातं चेत्यादि । तत्र प्रकरणाद्गर्भो ब्राह्मणस्य । तत्वं च एवमेव । अविज्ञाता हीत्यनेन तद्वर्णपुरुषवधप्रायश्चित्तं सूचितं । तस्यातीदियत्वादाह । व्यंजनेति । बहुवीहिरयं ।

विष्रगर्भाशिनास्योपभोग इति शंकते । अत्र चेति । एषां मध्ये चेत्यर्थः । संभवादिति । २५ तद्वधे चेति शेषः । अपीति । तथा च विकल्पापत्तिरिति भावः । अर्थवद्गिति सामान्ये-नोक्तं तत्रापीति भावः । यथायथं यथायोग्यं यथाशास्त्रमिति यावत् । स्त्रीत्वाचनुसारेणेति भावः ।

नयादें। विशिष्टस्येव पाठादाह । निष्द्रक इति । तथेत्यस्यानुषंगमाह । व्रतमिति । तद्र्थमाह । हन्येति । तद्र्णपुरुषवधसंबंधीत्यर्थः । रोगादिजत्वनिरासायाह । ऋत्विति । अत्र ऋतुस्नातायां एतत् आत्रेयाख्यं।एष्यदिति पाठे भावीच्छाविषयभूतामित्यर्थः । इदं च व्युत्पत्ति , प्रदर्शनार्थं वंध्याव्युदासार्थं चेति केचित् व्युत्पत्तिप्रदर्शनमात्रपरमित्यपरे इत्यपरार्के । प्रथमोपस्थितत्वादाह । अत्रिगोत्रज्ञा चेति । तदुत्पन्नेत्यर्थः । चेन विवाहादत्रिगोत्रायाः संग्रहः । अत एव साधारणे मानमाहात्रीति । "एतन्महावतं बाह्मणं हत्वा द्वादशसंवत्सरान्कुर्यात्" इत्यादि मित्रं वे त्यंतश्च । अत्र मित्रग्रहणं गुणवाद्विषयं । मूले ब्रह्महत्यासमेषु तदुक्तिरगुणवद्विषयेति न विरोधः ।

''जन्मप्रभृतिसंस्कारैः संस्कृता मंत्रवच्च या। गर्भिणी त्वथवा या स्यात्तामात्रेयीं विदुर्बुधाः ॥'

इति यमाञ्च । प्रागुक्तगार्भिण्यपि स्त्री वधं विना गर्भवध औषधादिना तत्पातनं । उभय-तात्पर्थमा**हेतदिति ।** अत्र बोध्या मंत्रवत् ब्रह्मवादिनी क्षत्रस्यैतद्गोत्राभावेनाक्षत्रियात्रेयी ताद्गित्रा प्राह्मा । एवमभेऽपि । न्यूनतां परिहरति । **चशव्दादिति ।** आत्मवित्यपेत्यंतेन ब्रह्महत्यावतान् ।

"मुक्त्वा गर्भमिविज्ञातमज्ञेसदेव वतं चरेत्। राजन्यवैश्यो चेज्ञातावात्रेयीमेव च स्त्रियम्" ५ (११।८७), इत्युक्त्वा चैवति। एतदेवेत्येकवचनात् द्वाद्शवार्षिकस्यैवातिदेश इति केचित्। अन्ये तु शुद्धिकरणसामान्यापेक्षं तदतः सर्वशायश्चित्तातिदेश इत्याहुः। ईजाने कालाविवक्षा उक्तहेतोः। एतेषां व्यवस्थामाह। यत्रेति। तत्राचे मानमाह। यथेति । अनिदितां पातिवत्यादियुतां। द्वितीये मानमाह। स्ववेति। सर्वतात्पर्यमाह। एवं चेति। प्रत्येकं त्रितीयवधे इत्यर्थः।

अनुपंति । अनुवायेत्यर्थः । गृहैकत्ववंदिति भावः । अविवक्षावश्यकत्वसूचनाय प्रकृता- । नुप्रयुक्तत्वेऽपि वचनोहेसः इत्यस्य पूर्णवतस्य। एवं मानवेऽपि शंका बोध्या। जनेति । आत्रेयी- सवनस्थाग्निहोत्रिणीभिन्नाया इत्यर्थः । उक्तहेतोरत एव पूर्वविरोधो न णर्थमिति अतिदेशवचनिम- त्यस्यानुष्गः । प्रागुक्तमेवोपसंहरति । अत इति । विशेषमाहातीति । त्यागेति । तदूपकार्य- तादृशक्षत्रादिहंतरि नेत्यर्थः । आदिना द्विजातिकर्मभ्यो हानिरित्यादिपरिग्रहः ॥ २५१ ॥

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अन्यत्र तद्तिदेशमाह किंचेति । एवमग्रेणि । तद्विना तद्संभवादाह । ब्राह्माति । घातार्थमित्यायक्षरस्वारस्यादाह । तद्वापेस्यादिना । सृष्ट इति प्रसक्त मि. ए. २४७. इत्यर्थः । अत एवायुक्तत्वादेव । किंचेति । सवनस्थे तु ब्राह्मणहते सित हंतुत्रंतं द्विगुणमिति शाव्दोऽर्थस्तत्मिलतमाह । यस्तिवति । सवनस्थे तु ब्राह्मणहते सित हंतुत्रंतं द्विगुणमिति शाव्दोऽर्थस्तत्मिलतमाह । यस्तिवति । सवनशब्दस्तत्संपाये सोमयागे ठाक्षणिक इत्याह । सोमेति । प्राग्वदाहान्वित । तस्मिन्बाह्मणादौ । आदिना क्षत्रादौ पर्ध- १ दित्यनेन प्राप्तद्विगुणादेर्मू द्वीवसिक्तावष्टादशवार्षिकादेश्व परिग्रहः । एतेन क्षत्रादिपरतयैवदं योजयन्मदनः परास्तः । प्राग्वदाह । तेषां चेति । नन्वातिदेशिकेषु पादोनं चेत्समेष्विण तथैव स्यादत आह । ब्रह्मोति । अञ्जेन प्रागुक्तं किंचिक यूनमिति पदं व्याख्यातं । अयं भावः । अतिदेशो द्विविधः । ताष्ट्रपातिदेशः सादश्योतिदेशश्च । तत्राये पूर्ववचनसत्वे पूर्णमन्यथापादोनं द्वितीये त्वद्विमिति । एतेन यत्र समत्वोक्तिरतिदेशो वा तत्र साक्षादनुपदेशोपादानं यत्र तु साक्षा- १ द्वितीये त्वद्विमिति । एतेन यत्र समत्वोक्तिरतिदेशो वा तत्र साक्षादनुपदेशोपादानं यत्र तु साक्षा- १ द्वितीये त्वद्विमिति । एतेन यत्र समत्वोक्तिरतिदेशो वा तत्र साक्षादनुपदेशोपादानं यत्र तु साक्षा- १ द्विदेशः यथा वेष्काचे आत्रेयीवधविषये यागस्य क्षत्रादिवधविषयस्तत्र संपूर्णमेव । एवं न्यायेना-तिदेशेऽणि संपूर्णमेवातिदेशस्यासंडत्वादिति मदनायुक्तमपास्तं । यतु भविष्यतपुराणे

"ब्राह्मणं यजमानं च हत्वा निष्कृतिमाचरेत्। चरित्वा द्वादशाहानि सेतुबंधं च पश्यतीति"॥ तत् गुर्वाचार्यादिरूपसोमयागकर्तृविषयं । यतस्तत्रैव

"निहत्य सुरशार्द्छ हैतुर्वे ब्राह्मणस्य तु" अथवा गुरुविषयं प्रायश्चित्तमिदं । "गुरुवचना- ३० देव शार्द्छ तस्वतस्ते ब्रवीन्यहमि" स्युपकम्य "ब्राह्मणं यजमानं चेति" पठितं । अत्र द्वादशान्दा- 4

नीति बहुत्वं कार्पंजलाधिकरणन्यायेन त्रित्वे पर्यवासितं। युगपत्कामतोऽकामतो वाऽनेकबाह्मणवघे तत्रैव विशेषोऽभिहित।

"एककालं यदा हन्यायुगपत्सुर....नं । निमित्तमेकमाश्रित्य हंति नैकेन वा विभो ॥ "ब्राह्मणं ब्राह्मणो वीर ब्राह्मणान्सुबहूनपि । निहत्य युगपद्दीर एवं प्राणांतिकं चरेत् ॥ "किंत्वत्र सुरशाई्ल विशेषं गदतः शृणु । बुद्धिपूर्वाबुद्धिपूर्वं विकल्पं शृणु पुत्रक ॥ "अकामतो यदा हन्याद्र।ह्मणान्मानवो गुह । चरेद्देन तदा घोरे यावत्प्राणपरिक्षयं ॥ "कामतश्च यदा हन्यात् ब्राह्मणान्सुरसत्तम । तदाऽऽत्मानं दहेद्मौ विधिना येन तं शृणु ॥ "भूत्वा निष्कालको वीर वेष्टियत्वा तु वाससा । घृताकेन महाबाहो दत्वा सर्वस्वमेव हि॥ "हित्वा पादौ करीषामौ दहेदात्मानमात्मना । उत्तमांगाद्धि विधिवत्तदस्येत्सुरसत्तम ॥

• "एवमत्र महावाहो निर्दोषः परिकीर्तितः।" इति । निष्कालकः कालांतरानपेक्ष इति स्मृतिमंजयां । निर्मतं कालं कृष्मवर्णात्मकं केशादि यस्मात्स निष्कालक इत्यपराकादौ । अत्र सर्वसाम्ये विकल्पो वैषम्ये व्यवस्था कल्योति सर्वनिवंधसंमतोऽर्थः । जातिशक्तीति देवलसम्मतश्च । यद्यपि न्यनत्वस्य देहस्य परतया मानसपरतया प्रयोजकानुमंत्रादिपरतया वा बहुधा संभवादेकरूपा कल्पना दुर्लभा तथा च स्मृतिकाराणा ताल्पर्यनिर्णयो दुर्लभ इत्यवसिष्टमेव तत्र च माधवा- १५ चार्चेरित्थमेवाशंक्यत एव निवंधेषु दृश्यते नैकवाक्यतेत्यनेन निवंधकारवचसामपि सत्प्रतिपक्षप्रस्तता मुक्ता तथापि पर्य्या(?)पूर्वनिवंधेषूक्तं तथैव मया लिख्यते इतिवदद्भिरतीव गहनत्वमेव धर्मस्थर्सुटी- कृतिमिति न तत्राभिनिवेष्टव्यामिति दिक् । एतेषु कपालध्वजधारणादिकं नास्तीति बोध्यं॥ २५२॥ इ

इति ब्रह्महृत्याप्रायश्चित्तप्रकरणम् ।

याज्ञवल्कीये २५३ श्लोकः।

कमेति । उद्देशकमेत्यर्थः । एवमग्रेऽपि । सादृश्यं न वर्णकृतं किंतु स्पर्शकृतमित्याह । काश्येति । काश्येन स्पर्शमात्रान्मरणक्षममिति यावत् । अनित्रसंगाय रामार्जुनगातिस्तयादिति । विन्मायः साहचर्याश्रयणमित्याह । स्पष्टार्थमाह । धोन्विति । विशेषमाहेतच्चेत्यादिना । तास्रेण वेत्यत्र ताम्रवर्णामिति पाठस्तु पुनरुक्तिग्रस्तः । तथा च पात्रयोविकत्यः । अंगिरसा अन्यद्प्युक्तं

२५ "भृगुप्रपाते पतनं ज्वलनं वा समाविशेत् । महाप्रस्थानमातिष्ठनमुच्यते सर्विकाल्विषादिति" ॥

एतच मरणांतिकं प्रायश्चितं कर्षदानादेष्टव्यं। अपि तु व्युत्पन्नश्चेत्स्वयमेव ज्ञात्वा कुर्याद्वयुत्पन्नश्चेत्पायश्चित्तस्वरूपं विशिष्टभ्यो ज्ञात्वा तदनुज्ञां विना स्वयमेव कुर्यात्तथा च मनुः (१११४६) "मतिपूर्वमनिर्देश्यं प्राणांतिकमिति स्थितिरिति"। एवं प्राणांतिकेषु सर्वत्र बोध्यं। मात्रं कारस्न्ये । अत एवापिः । सार्थकोऽप्रेहीति । तत्र पाठे तु अवधारणेयं तत्सुरिति पेष्टीत्यर्थः । ३० सुस्ते इति पूर्वान्यपि । अवापनुयादिति ।

''गोमूत्रमाप्तिवर्ण वा पिनेत्सिलिलमेव वा । कुर्याद्वाऽनशनं तावद्यावत्प्राणीर्वमुञ्यते ॥'' इति ।

तच्छेयः । कुर्याद्वेत्यनेन तत्पानेनाप्यमरणे यावत्प्राणवियोगं तद्वंतरमन्शनमित्यपि स्चितं । मरणांतप्रायाश्चत्तानंतरं यत्र शवशरीरमस्ति तत्र मरणादेव पापस्य गतत्वाद्दाहादिसंस्कारः सद्य एव भवति । तथा च भविष्यत्पुराणं

"आयसे भाजने तप्तां ब्राह्मणो वारुणीं पित्रेत् । अग्निवणी पापहरां ततः पापात्प्रमुच्यते ॥ "जीवितस्यांतकाले तु इमशाने ... विधिरिति ॥"

विधिदीहादिः । कर्तन्य इति शेषः । शरीराभावेऽस्थनां पालाशविधिना वा संस्कारः कार्य इति बोध्ये । पिबोदिति "तयाऽस्य कार्ये निर्दिग्धे मुच्यते किल्बिषात्तत" इति तच्छेषः । शास्त्रार्थेति । न तु स्वरूपापरिज्ञातेत्यर्थः ।

मात्रं कार्त्स्ये । एवमग्रेऽपि । एवेनान्यनिरासः । तत्र तेषां मध्ये वा । वासिष्ठे प्रागुक्ते सुरात्वं सखें।(?)डोपाधिरित्याह । मदेति । पानसं पनससंबंधि । द्राक्षासंबंधि मधूकसंबंधि सर्जूर- १० संबंधि तालसंबंधि इक्षसंबंधि माक्षिकोत्यं श्रीरसंबंधि अरिष्टसंबंधि मिरिचसंबंधि नालिकेरजन्यं ।

मि. पृ. २५८. वासिष्ठादिगत्यर्थमाहातश्चोति । दृश्यते स्मृतिषु मधुमाक्षिकं । अन्यायश्चानेकार्थत्वमिति न्यायविरोधमाशंकते । न चेति । मदेति । तज्जननेत्यर्थः । तथा च शक्त्यवच्छेद् कैक्याञ्च स दोषः । तद्भेदे एव तत्वांगीकाशादिति भावः । शुद्धयौगिकत्वाभिप्रायेण शंकते । न चेति । यं केति । पूर्वमतेपीदं बोध्यं । अतश्च तिमृषु मुख्यत्वाच्च प्रागुक्तमनूत्तरार्धमाह । ५५ यथैवेति । एका मुख्या पैष्टी । सर्वा गौढी माध्वी च । असुरयोः सुराभिन्नयोः येन तत्र प्रायः श्चित्तार्द्धं भवेदिति भावः ।

नन्ववं तस्मादिति मनुना त्रयाणा मुख्यमात्रनिषेषबोधनात् द्विजोत्तमैरित्यनेन विप्रस्थैव तिश्विधान्मिथस्तथोविंरोधोऽत आह । द्विजोत्तमेति । पुरुषोत्तम इतिबत्प्रयोग इति भावः । हेत्वंतरमाह । तथेति । एवमग्रेऽि । अन्नानां मलं वे निश्चयेन सुरो मुच्यते मलं च पाप्मोच्यत २० इत्यन्वयः । पाप्मा पापं । तत्त्वेन तस्य व्याख्यानं निंदातिश्यदर्शनार्थ । ननु अन्नान्नशब्दो नौदनपरो रूढः बहुवचनरसंगत्यापत्तेः । अदनीयमात्रपरत्वेति प्रसंगापत्तिरत आहान्नति । श्रीदिना गोधूमादिभक्तसक्त अपूपादौ प्रसिद्धतरतस्तत्र प्रयोगः । अत एव तत्र मेदोपपात्तिरिति भावस्तदाह । गुडेति । तथा च पिष्टविकारत्वात्पेष्टीत्वं तत्र सिद्धं तदाह । पेष्ट्रयैवेति । अत इत्यादिः । इतेति । गौडीमाध्व्योरपीत्यर्थः । तु इति पाठांतरं । औत्पत्तिकस्तु शब्देनार्थस्य संबंध २५ इति न्यायेनाहौत्पत्तीति । इदं मानवं । दाढर्ज्योपेपसंहरति । अत इति । तस्य तद्परत्वादिन त्यर्थः । क्वार्यमेवाह । गुर्विति ।

अत्र लाधवमाहैवं चेति । तत्र तस्य गौणत्वे चेत्यर्थः । अस्योद्धृतस्वादाह । नापीति ।
न चेति नापीत्यर्थः । एवं सति मिथो विरोधाभावादिति भावः । तदेवाहातश्चेति । अनुपलक्षणत्वेन तदेकवाक्यतया चेत्यर्थः । तस्मात् पापरूपत्वात् । मद्यानां मद्यानां तु पक्षोति देवानां ३०
हिविश्वरुपुरोह्याशादिदर्शायुदितं अश्वता ब्राह्मणेन पद्यादीनां नियानां भक्ष्यविवेकशून्यानामन्तसदनीयमद्यं मासं सुराऽऽसवं च न भक्षणीयमित्यर्थः । तस्य तानि भक्षितुं ये योग्याप्यानि न
तानीति भावः । सुरासविभित्यत्र सुरैवाऽऽसवस्तमिति केचित्सुरा चासवश्च जातिरित्येकवद्मावस्तत् ।
आसवो मद्यविशेष एव । ब्राह्मण्विसिष्ठन्यायेन पृथगुक्तिरिति मेथातिथः । खार्जुरीति पूर्ववत् ।

अपिरकामसमुचये कथंचन शास्त्रार्थज्ञानेन तद्ज्ञानेन च एवार्थमेवाहासुरामिति । तयोः क्षत्रियवैश्ययोः । क्षीबाविति । उभौ चंदनचर्चितौ । एकपर्यके शायिनौ इति मध्यः । संजयस्य घूतराष्ट्रं प्रत्युक्तिः। (?) मेवमनयोरिप ब्रह्मचारिणोरस्त्येव निषेधः । सामान्येन तदवस्थायां मध्वादि-निषेधकथनात् इति बोध्यं । मानवं योजयति । एवमिति । उक्तरीत्येत्यर्थः । मात्रं कार्त्न्ये । ५ सत्येति । तथा चार्धमेव प्रायश्चित्तं तत्रेति भावः । परिहरति अंतञ्चेति । तथानिषेधाचेत्यर्थः । वर्णेति । उपनीता उपनीतेत्यर्थः । तत्र द्विजत्वमुपरुक्षणं न तु विशेषणभिति भावः । वैपरीत्य-निरासायाह । निमित्तेति । अस्यादृष्टत्वानिरासायाह । यथेति । हविर्मात्रेति सकलहविर्निर्वापे साति तत्र चंद्रोद्यस्येत्यर्थः । नन्वेवं तेषामपि मरणांतिकं स्यादत आहेयांस्त्विति । सर्वशब्द-मि. पृ. २५९ ग्रहणादिति भावः । आदिना स्त्रीपरिग्रहः । एवं तत्र मुख्यविषये उक्त्वा-

^९ न्यत्राप्याह । **तथेति ।** तद्वदित्यर्थः । नीतेन तदादिना ।

उभयत्र शंकते । निन्वति । अत्रैकं हेतुमाह । प्रागित्याद्यवगतोरित्यंतेन । नन्वयस्यान्य-परतयाऽपि सुयोजत्वादाह । तथेति । विशेषपरेत्यर्थः । आङभिविधौ । सुहादिति मध्यमपद्रहोपि-समासः । बाक्ये इति जातावेकवचनं । स्थितिः सिद्धांतः । कामकारे उक्तं प्रागकामकारे आहात इति । निषेधस्य तदाश्रयत्वादित्यर्थः । इति इत्यत्र । बचनात् वचनव्यक्तेः सर्वेशब्द-१५ बलादिति भावः । एतेन सुरापाने षट्कुछः कल्प्या वक्ष्यनाणवचनादिति मदनायुक्तमपास्तं । एव-मुक्तमुख्यरीत्याऽन्यत्रापि तथाप्राप्तावकामकारे विशिष्याह । तथेति । किंचेत्यर्थः । बालः ० ५ विप्रबारुः । प्रकरणात्क्षत्रादेस्तदिनेषेधाच । एवं चेदं विशेष । सोहात् अज्ञानात् । अर्तैः कामक्रतेऽत्रापि द्वैगुण्यं द्रष्टव्यं। सूक्तं व्याख्यातं। अत एव तत्र मक्षपद्स्वारस्यमपीति बोध्यं। स्वल्पेति । नञोऽल्पार्थत्वात् । अत एव द्रोषस्याल्पत्वादेव । गर्भैः गर्भाधाने क्रियमाणैः । **२० होमैरित्यस्या**ग्रेऽप्यनुषंगः । अत्र द्विजानामित्युक्तिस्वारस्येन येन तत्वसंपत्तिस्तेनेव तत्क्वत-बोषस्यापि निवृत्तिरन्यथा तत एव तद्दि न स्यादिति भावः । तात्पर्यार्थे अन्यो मोहायाहायमिति । चस्त्वर्थे । कदाचिद्पि ब्रह्मचार्यन्यत्र निषेधः । इतीति शेषः ॥ २५३ ॥

याज्ञवल्कीये २५४ श्लोकः

बालेत्यस्यार्थमाह । गविति । अर्विनिममकत्वात्सर्वमहर्णाभिति भावः । तयोः तयोरपि ^{९५} तत्र सहनिर्देशादत्रापि तथोकं चीरस्यापीति तु तत्वं तत्र यथासंख्यसत्त्वात् जटीति वाशब्दस्तु पूर्वेण वश्यमाणेन च व्यवस्थितविकल्पार्थ इत्यमे स्फुटीभविष्यति । एतेन वाशब्दान्मुंडो वेत्य-पास्तं । आदिना जाटी बेत्यस्य परिग्रहः । यद्त्रैव मनुना ध्वजीत्युक्तं तत्पानपात्रे ध्वजित्वमिति मेथातियिमदनादयः । इति इत्यनेनास्यैवेति वतशब्दोक्तेरिति भावः । अत्र च अकामविषये च हेतुः कुर्यादित्यत्रान्वेति । तथाऽन्यप्राग्वदत्रापि वचनसत्वे पूर्णमन्यत्र पादोनमिति व्यवस्था 🦫 बोध्या । पिँडानं तिलकल्कपिँडीकृतमिति पाठांतरं । कपिँजलाधिकरणस्यायेना ा वर्षत्रयेति । त्याग इति । यथा च सकुद्पि प्राणयात्रामात्रमेव कार्य । न न्यूनमधिकं बोति भावः । पत्तव पिण्याकाविमश्रणं च । उद्काति अकामत इति शेषः । कामतस्तु तत्पाने छद्मेतरं स्यासेन

द्वादश्वार्षिकाभिधानात् इति भावः । तदाहैतदेवेति । ब्रह्महत्यावतमेवेत्यर्थः । मधवश्छदिने कृते इतिमयपः क्वतछर्दन इति कल्पतरौ पाठः । एतेन द्वादश्वार्षिकादि सर्व मूलोक्तं जलबुद्धया सक्वत्युरापानछर्दनविषयं व्यासोक्तः । पिण्याकादिभक्षणेन संव्यवहार्यत्वमेव नरकनिवृत्तिरिति कल्प्यं प्रायश्चित्तस्याल्पत्वात् । यद्वा द्वादश्वार्षिकाशक्तं प्रत्युपदेशः स तु लोकद्वयेऽपि शुद्ध इति मदनायुक्तमपास्तं । व्यासंवाक्ये तदतिदेशादेव मयशब्दो मुख्यसुरापर इति बोध्यं ।

मतांतरं खंडयति । न चेति । तत्संसृष्टं ईषदुपलभ्य मानतद्गंधरसं च यदुद्कं तत्मानेत्यर्थः । मि. ए. २९० इदं पिण्याकादिमक्षणं । संसर्गे मिश्रणेऽपि । तत्र दृष्टांतमाह । यथेति । दिष्टिमिश्राज्यं पृषदाज्यं । तत्रैव किं मानमत आहात पवेति । तदनपायादेवेत्यर्थः । न्याय-विज्ञिनीमेनीयैः ।

अविरोधमाह । यत्पुनिरित । 'गुरुदारान् च गत्वा बह्महत्यामकुत्वेति' ब्रह्महत्यां चे- १० त्यपाठः । त्रयाणां प्रत्येकं कृत्वेत्यर्थः । ब्रह्महत्यामकुत्वेति विशेषकथनं संसर्गप्राप्तयर्थं । अत एव गुरुदारं चेति चसफलः । अपेऽर्थतोऽनुवादो न शब्दतः । अप इति त्रिषु सवनेषु प्रातरादिषु भूमि-गतासु उद्वृत्तासु च स्नानमाचरेदित्यर्थः । एकेति । तथा च विकल्पः । सः पुनः पश्चादैः साम्यं प्र प्रुयादित्यर्थः । च यदि पुनः पश्चादिप तां न पिबेचु तदा तां स सकुत्पीत्वा यो भूमिदानं प्रकर्षेण कुर्यात्स संस्कृतः पुनरुपनयनाख्येन संस्कारेण ताहशः सन्विशेषेण शुध्यतीत्यर्थः । १५ स्वल्पत्वादाह । पूर्वेणिति । पिण्याकं वेत्यादिनत्यर्थः । यागदानयोरुत्तमत्वादाह । यद्वेति । अत्रापि पिण्याकं वेत्यायुक्तन्नेवार्षिकविषयेऽपि । आदिना रोगिणः स्त्रियश्च ग्रहणं । ऊढानूढामेदेन विवाहस्योपनयनस्थानत्वात् । अपनुतिस्तज्जन्यदोषनिरासः । अग्ने व्युत्क्रमेऽप्यन्वयः । एतेनेदं गौडीमाध्वीपरितित ज्ञानतः प्राणात्ययादिपरिमिति च मेधातिथ्यायुक्तमपास्तं सुसुराशब्दश्चवणात् ।

अत्रैव शंकते । ननु चेति । तदंगीति । आन्यानयने चोदिते यात्रानयनवत् दोषस्य १० स्वल्पस्य प्रायश्चित्तस्याल्यत्वाहोषस्याण्यल्पस्यैव कल्प्यत्वात् । अस्यादृष्टचरत्वनिरासायाह । चरेदिति । इति इत्यादिना प्रायश्चित्तविधानेऽन्वयः । अत एवाग्रे आदिपदं । अत्र यथायथमन्वय उद्धः । तथा च तत्र पानशब्दस्तत्पर इति भावः । कुच्छेति त्रैमासिकमित्यर्थः । विधिरिति पुनरुपनयनसंस्कार्यो भवेदित्यर्थः । रुक्मं हेम द्विजेत्यव्यवहितपूर्वान्वयि । पाने इति । पानविषयकसंकल्पमात्रविषयकमिति माधवादृयः । याम्यमात्रं तद्विषयमिति सूचितं । १५ ग्रुष्कसुरेति । सरससुराभां होद कपाने तुन् साक्षतद्वयवानां सत्वात्पादोनं सुरापान-प्रायश्चितं कल्यं । तत्राप्यवयवाधिक्ये तु संपूर्णमेव अव्यवहितांवेषये एवाह्यकामत इति । पुनस्त्वर्थे । मनूक्तमिति पाठः । यमोऽप्येवं । पयः क्षीरं । एवमग्रेपि । शृतं पकं । पाने सकुत्पाने । मि. पृ. २६१ अत एवाह । ज्ञानत इति । क्षीरेणेति । पक्वामित्यर्थः । सुरापेति । सीमया-जिन इत्यादिः । तत्सोमेति सोमप इत्युक्तेरलपत्वाचीति भावः । प्रागुक्तहेतोराह । मतीति । कल्प्य- ३० मिति । सांतपनं कुछ्प्राजापत्यं वेत्यर्थः । तदेव ध्वनयन्नाह । साक्षादिति ॥ २५४ ॥

याज्ञवल्कीये २५५ श्लोकः।

रेत इति समाहारवंदः । प्रथमुक्तिस्वारस्येनाविरोधाय भेदेनाह । ज्ञासण इति । गौतमोक्तेन

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्रायश्चित्त-याज्ञवल्कीय

राह । ततिति । ता त्याख्याने बीजमुक्तमेवाहात्रेति । मूळे इत्यर्थः । दर्शितत्वादिति । बाह्मणं प्रत्येव मध्यानस्य निषिद्धत्वादिति भावः । वस्तुतस्तु "नराश्वमेधौ मद्यं च कळौ वर्ज्य दिजातिमः" इति माधवोदाहृतब्राह्मण कळौ सर्वान्प्रति तन्निषेधान्न वाक्यमेद इति यथाश्रुतमेव समंजसमिति बोध्यं । मद्येति । त्रिविधान्येत्यर्थः । ननु तत्सत्वान्मुख्यपर एव कृतौ नात आहाज्ञान् नेति । अत्र आस्मन् विषये। ततस्तद्नंतरं । कुणपं शवशरीरं । अज्ञानादिति "मतिपूर्वमनिर्देश्यं प्राणांतिकमिति स्थितिः" इत्युत्तरार्ध ।

''यदि प्रमादेन पिनेत्सवर्णामनुगच्छिति । सिशिखं वपनं कृत्वा पुनः संस्कारमहर्तीति ॥" अङ्गिरा अप्येवं । पिनेदित्यत्र मयमिति शेषः । जननं चेति पूर्वान्विय । अनीत्यश्रिमान्विय । सस्य च न भवतीत्यर्थः । पिदानं ''कस्य ब्रह्म" इत्यादेर्ददामीत्यंतमंत्रस्योचारणं । अथोपे-१० तेति ब्याख्यातं प्राकृ ।

"पीत्वा प्रमादतो मद्यमिति कुच्छं चरेत् द्विजः। कारयेत्तस्य संस्कारं शक्त्या विप्रांस्तु भोजयेत् ॥'' इति । बृहस्पतिरिप

"वपनं मेसला दंडो भैक्षाचर्या वतानि च। निवर्तते द्विजातीनां पुनःसंस्कारकर्मणि॥"

इति मनुः (११।१५१)। असुराया इत्यस्य साकांक्षत्वादेकदेशेन मथेनान्वयः। १५ त्रिविधभिम्नस्येत्यर्थः। एवमगेऽपि। कृछ्णातिकछ् इति पाठः। एतेषाभिति इद्म-कामतः। कामतास्विदमेव द्विगुणं अभ्यासे आवृत्तिः। अत्यभ्यासे तु मरणमेव। अज्ञानतो-त्यंताभ्यासे द्वादशवार्षिकं इति बोध्यं। कामतः सकुद्पि ताळादिमद्यपाने विप्रस्य मरणांत् मेवेति तु प्राच्याः।

पतच्चेति । अमुख्यमयपानिविषये प्रागुक्तं सर्वं चेत्यर्थः । तत्र सुराशब्द उभयपर इति
२० तिद्देषयमनुक्तमाह । सुरायाश्चेति । एतेन दिव्यांतरसंस्पृष्टसुराया बलात्पाने । तत्राप्यशक्तविषयमिति मदनायुक्तमपास्तं । पानेषु सकृत्पाने । एतमग्रेऽपि । अत्रैवाभ्यासे "विधेः प्राथमिकात्" इति न्यायेनास्य द्वैगुण्यं हि कल्पनीयं दार्शितः वादिति । तथा च भविष्यपुराणं
"गौडीमाध्व्योस्तथाभ्यासे प्राणांतिकमुदाहृतम्" इति । तथाऽज्ञानतः अमत्याऽत्यंताभ्यासेऽपीदं ।
तथा च माधवीये व्यासः

२५ "मत्या मद्यममत्या वा पुनः पीत्वा द्विजोत्तमः। ततोऽग्निवर्णा तां पीत्वा मृतः शुध्येत्स किल्विषात्॥"इति

मि. पू. २६२. प्राग्वत्। मुख्यभिन्नस्थले उभयत्राह । मद्येति । एकद्विविधेत्यर्थः। पाने सकु
त्पाने । वर्तयेत् जीवेत् । अत्रेत्रिरात्रत्वाविशेषेऽिष द्रव्यक्कतगौरवज्ञेयं । अत्यंतिति । उभयथापीति
भावः । पयसा पकं । प्राग्वदाहैतेषु चेति । अत्रत्त्वमप्युक्तं प्राक् । तदेवाभीष्टमाहेदं चेति ।

कल्प्यामिति छर्दनं पृतप्राशनमहोरात्रोपवासश्चेति प्रागुक्तमेवेत्यर्थः ॥ २५५ ॥

याज्ञवल्कीये २५६ श्लोका।

शुद्रविषये वश्यमाणत्वादाह । द्विजातीति । ब्राह्मणीत्यस्यार्थमाह । द्विजातीति । ठिङ्थोऽविवक्षित इत्याह । पिबतीति । तत्पाप्तौ हेतुमाह । क्वतेति । 'इहैंवे ' त्यस्यार्थो

छोके इति । नरकभोगानंतरमिति भावः । यौगपबासंभवादाह । क्रमेणेति । ननु कथं सामान्यपरत्वमत आह । ब्राह्मणीति भार्या इति शुद्धापर्यता इति शेषः । तथा च ताभिः सर्वाभिः सरा न पेया । पाने त्वधं प्रायश्चित्तं । तदेव ध्वनयञ्जपलक्षणत्वे मानमाहातं प्रवेति । तस्योपलक्षणात्वादेवेत्यर्थः । मन्वर्थमाह । धर्मेति । वस्तुतस्तत्वाभावादाह । त्विमिति । वेति । साकांक्षत्वाच्छेषमाह । ५ तस्येति । 'पतितेति' कर्मधारयो न बहुवीहिरित्याह । पतितस्य चेति । एवं शब्दार्थमुक्त्वा तात्पर्यार्थमाह । तस्मादिति । भार्यया स्वसवर्णया । नन्वेवं व्यर्थमिदमत आह । तस्मादिति । छिंगेति । उद्देश्यगतत्वादिति भावः । वचनं मानवं परमतान्पर्यार्थमाहात इति । तस्या अपि निषेधप्राप्तेरित्यर्थः । भार्याभिः सर्वाभिः श्रृद्वांताभिः । अयं श्लोको व्याख्यात्रा सुरापदस्योत्तरार्धस्य चानुरोधेनेत्यं व्याख्यातः । अत्र द्विजभार्येत्येव वाच्ये । बाह्मणी- १० त्युक्त्याऽन्यदिष सूचितं । तत्र चार्षत्वात्युंयोगे ङीष् न ङीन् । तथा च बाह्मणाभार्यया शूद्रया-ऽपि मद्यमात्रं न पेयं । ब्राह्मणस्य निषिद्धत्वातः । यदि सा पिबति तदा पातित्यं नास्ति निषेधस्य शृद्धवर्णविषयत्वात् । तत्संसर्गात्पत्युर्बोह्मणस्यापि न पातित्यं किं त्वेनस्वित्वं गर्भे च दोषः । तावच्छुद्रावेदनमेव न सर्वसंगतं तत्रापि पीतमचया सह संसर्ग इति स्वल्पदोषोऽस्त्येव अत एवोपपातकमध्ये " मद्यपस्त्रीनिषेवणम् " इति । पठितं तदेत- १५ सुरालशुनपलांडुंगुंजनमांसादीन्यभक्ष्याणि त्सर्वमभिष्रेत्योक्तं शंखेन हि श्रीरं तन्मयत्वात् ब्राह्मणः संकीर्येत मातुरशितपीतादिभिर्गर्भः संभवतीति "। क्षत्र-🗸 विद्भार्ययोर्मद्याविषये प्राग्वद्भोध्यं । तदेव ध्वयन्नाह् शूद्रेति । अन्यत्र यथायथं दोषसत्वादाह । शूद्धाया इति । सर्वस्येति भावः । अत्रापि प्राग्वताद्रुप्यातिदेशे वचनसत्वे पूर्णमन्यत्र पादोनं साम्यातिदेशे तु अर्द्ध इति बोध्यम् । तदाह सुरेति । सुरापानशब्दे वा भावकरणयोरिति णत्व- २ 。 विकल्पः । एतेन समातिदेशयोः पादोनकल्पनं ब्रह्महत्यायामेव महापातकमध्ये तस्यागुरुतरत्वा-दादिपाठाच । अत्र तु साम्येऽर्धे तदितदेशे द्वितीयकक्षायां प्रायश्चित्तप्राप्तेः । साक्षाद्वीतातिदेशे तु प्रथमकक्षायामेव तत्प्राप्तिरिति पादोनं येषां कौटसाक्ष्यादीनामुभयसाम्यं तत्राधिकपक्षाश्रयणेन पादोनमेव यद्दा शक्तिमतः पादोनं अशक्तस्यार्धं न्यायेनातिदेशे तु संपूर्णमेवातिदेशस्यासंडत्वा-दिति मनुनायुक्तमपास्तं ॥॥ २५६ ॥ . २५

ु इति सुरापानप्रायश्चित्तप्रकरणम् ॥

याज्ञवल्कीये २५७ श्लोकः।

संबंधांतरिनरासायाह । स्वामीति । स्वर्णशब्दोऽत्र परिमाणपर एवेत्याह । सुवर्णमिति । अस्य तात्पर्यार्थं संभवतीति न्यायेनाह । सुसल्लेति । तेनेत्यादेर्थमाह । तेन राह्नेति । अभिषेकादि
मि. पू. २६३ गुणयुक्तजनपद्परिपालकक्षत्रियेणेत्यर्थः । तस्यैव शासने शास्रेणाधिकृतत्वात् ।

सुक्त इति । मरणादिः ग्रहणं परस्वस्योपादानमिति यावत् । स्कंधेनोति (मनुः ११।९८-१०२)

"अत ऊर्ध्व प्रवक्ष्यामि सुवर्णस्तेयनिष्कृतिं ।

"सुवर्णस्तयकृद्विप्रो राजानमभिगम्य तु । स्वकर्म ख्यापयन् ब्रूयान्मां भवाननुशास्त्रिति ॥

"गृहीतु मुसः राजा सक्कद्धन्याजु त स्वयं । वधेन शुध्यति स्तेनो ब्राह्मणस्तपसैव वा ॥ "तपसाऽपननुत्सुस्तु सुवर्णस्तेयजं मठं । चीरवासा द्विजोऽरण्ये चरेत् ब्रह्महणो व्रतं ॥ "एतैर्व्वतेरपोहेत पापं स्तेयकृतं द्विजः ।

"राजा स्तेनेन गंतव्यो मुक्तकेशेन धावता । आचक्षाणेन तस्त्तेयमेवं कर्मास्मि शाधि माम्॥" इत्यादि । (८।३१५)

"शासनाङ्गा विमोक्षाङ्मा स्तेनः स्तेयाद्विमुच्यते। अशासित्वा तु तं राजा स्तेनस्याप्नोति किल्विषम्॥" इत्यंतश्च। शाधि जिह ठकुटं षष्टिकां असिखडुं अभ्रिं वोभयतस्तीक्ष्णम् इति । पाठांतरं " अभ्रिः स्त्री काष्ठकुद्दालः शिक्तं वोभिति " पाठांतरं । तुर्यतात्पर्यार्थ-माहैविमिति । उक्तप्रकारेणेत्यर्थः । अर्थात्तरस्य खंडियिष्यमाणत्वादाह । मरणादिति । अस्य तात्पर्यार्थमाह । जीविचिति । ततः तस्मात्ततः । तथापि । अत्र दृष्टांतमाह । यथोक्तमिति ।

अर्थीतरमाह । नन्चिति । पुनः शंकते । भवत्विति । अत्र क्रमे हेतुमाह । स्नेहेति । ज्यायसीति । माधवस्तु एकस्य तस्य मरणे बहूनां पोष्याणां तदीयमित्रपुत्रकळत्रादीनामनाथतया मरणं संभाव्य यदि राजा दयया धनदंडादिपुरःसरं स्तेनं मुंचित तथाऽपि शुद्ध एवेत्याह । प्रायश्चित्तीति । १५ "अकुर्वन् विहितं कर्म विहितं च समाचरन्प्रसज्जश्चोंद्रियार्थेष्विति । अस्यादिः । उपसंहरति तादीति । अत इत्यादिः । प्रागुक्तमत्रापि दृष्टांतमाह् । यथेति। राज्ञ इति कर्तरि षष्टी । नन्वेवं विप्रस्येहं नैवं स्यादत आह। यदीति। कर्यंचित् गौतमानुरोधानमनुमाह । वधेनेति । प्राग्वत्।ब्राह्मणग्रहणमुपलक्षणमित्याह। 🗘 ब्राह्मणस्यापीति। वधनिषेध इति । तथा च वधस्तद्न्यपरः । वाऽन्याशयक इति भावः । केवले त्यनेन समुच्चये निरासः। अपिना वधसमुच्चयः। इद्मेव द्रृहयति । यद्गिति। तत्रैवाविनिगमकत्वा-२॰ दिति भावः। अन्याशयमाह। **न च दंडेति। न**न्वर्त्रानिर्दिष्टत्वेऽपि दंडप्रकरणे तत्वमस्त्येवात आह। **किंचेति ।** अर्थशब्दः फलपरः। **जैमिनीय**मिदं । न च न हि । चस्त्वर्थे। तस्माद्विकल्पानुरोधेन तस्य न वधनिषेधपरत्वमपि तु तत्परत्वामिति तस्य वैकल्पिकतित्सिद्धिरिति प्रागुक्तं सिद्धं। 🕝 नन्वेवमपि नन्विकल्पो युक्तो मानवः सामान्ययोविँशेषयोवी तत्संभवेऽपि सामान्यविशेषयोबीध्य-बाधकभावस्यैव दृष्टत्वादित्याशयेनाह । न चोति । नापीतीत्यर्थः । हि यतः । चेतीति । अपि २५ तु तेन तस्य बाध इति । तद्रहित एव प्रयोग इति भावः । उक्तरीत्या विकृत्पोपपत्त्यर्थमुपुसंहरति । तस्मादिति । ब्राह्मणगहस्योपलक्षणत्वादिति भावः । इदं च निषेषमभिप्रेत्योक्तं । वस्तुतस्तु एवं न तस्य दंडप्रकरणस्थत्वादित्याह । यद्वोति । न जात्विति । निषेघो नेत्यर्थः । अत एव प्रकृतप्रकरणस्थमाह । मनुनेति । ब्राह्मणेति । तदादीत्यर्थः । तस्य तत्वमाह । न जात्विति । अत्र च मूलादै। च जालेति मूलं व्याख्यातं प्राकृ । अतः परिभाषासत्वात् संभवतीति न्यायेनाह । नहीति । ननु तत्वे अपन्यार्थत्वमेवास्त्वित्यत आह । नापीति । अतिदिति । तत्तात्पर्यकत्वामावादित्यर्थः । एतेन व्यवहारः संगृहीतः । अत एव उभयार्थत्वाभावादेव वैयाकरणैरित्यर्थः । जैमिनीयसंमतिमप्याह । तथोति ।तद्वदित्यर्थः । न चेति । तत्प्रकरणात्पूर्वे पाठादिति भावः । तावदिति प्रकर्णभेदादिति भावः ।

अभ्युपेत्याप्याह । किंचेति । अपिस्तसमुच्चये । अत एवाह । नातीवेति । राब्दैकेति । ब्राह्मणसुवर्णापहरणमित्यादीत्यर्थः। एकांततः नियमेन । ततरु छन्दस्य साकांक्षत्वात् । उपसेहरति । अत इति । तत्रात्यंतानुपयोगादत्र वैपरीत्यादित्यर्थः। युक्तमित्यत्रान्वयः। युक्तांतरमप्याह । किंचेति । बालो गवादिलोम । तथाऽपन्हेते अस्याग्रेप्यनुषंगः। प्रमाणे सर्वत्र मात्रचप्रत्ययः। चस्त्वर्थे । न केवलं तावदेवेत्याह । गायेति । गायञ्या अष्टाधिकसहस्रमयीत्यर्थः । दिनं । सूर्योदयात्तदस्तपर्यतं प्रिनद्वयं। तथा स गायत्री जपं दिनद्वयं। यावकी यावकाहारी । अविरोधमाहेदं चेति । तच्छेष-मेवाह । बलादिति । जर्ध्वमुक्तत्वेनाह । पौनस्वत्यायाह । सुर्वणेति । विशेषमाहेदं चेति । ब्रह्मोति । ब्रह्मस्वत्वं प्राप्तस्य । सुवर्णादेः स्तेयकृते सति । पुनः पश्चादेकादश्गुणं अपहृतं तेन तस्मै देयमित्यर्थः । तथा तद्वत् तदिति अपहृतं दत्वेत्यर्थः । उक्तमिति योगिनेति भावः । तथा च हृता-देकादश्गुणं द्रव्यस्वामिने द्वैव तत्कार्य । तथा च लघुविष्णुः

"स्तेये ब्रह्मस्वभूते तु सुवर्णहरणे कृते । पश्चातत्तेन दातव्यं तस्भै ह्येकादशाधिकं ॥ "ऋणं संशुद्धिभावाय ततश्चांद्रायणत्रयं । संवरसरेण कर्तव्यं निपुणा शुद्धिमिच्छता ॥"इति। एकादशगुणदानं सर्वस्तेयप्रायश्चित्तविशेषः । तस्य ऋणसंशुद्धिस्तपत्वात् । चांद्रायणत्रयं यवमध्य-पिपीछिकामध्ययित् चांद्रायणात्मकं संवत्सरेण कार्ये । चांद्रायणत्रयाभ्यामेन संवत्सरं यावत्प्रायश्चित्तं कार्ये । एतच्च संवत्सरयावकवतेन विकल्पते । एकाद्रशगुणदानासमर्थे प्रति स एवाह

५ "अभावे कांचनस्य स्याद्वतमेतचतुर्गुणं । चरेचतातमा निःसंगः पूर्णं वर्षचतुष्टयं ॥

"समाते कांचनं गाश्च राजतं वाऽपि शक्तितः । देयमन्नं द्विजाग्रेभ्यः शुभं पापोपशांतये"॥ इति । एतद्वतं चांद्रायणत्रयं वत्तरेण कार्यमित्येतन्मरणांतिकप्रायश्चित्तादवीचीनेषु स्तेयप्रायश्चित्तेषु एकाद्शगुणदानसमर्थस्य चातुर्गुण्याचरणमनेन न्यायेन प्राप्तं । तत्र जातिशक्त्यायपेक्षया द्वेगुण्यादि कल्प्यं । हंतुमिति मुशलादिना । अप्यर्थमेवाह । द्वितीयमिति । तेन विसिष्ठेन । २०

मि. पू. २६५. द्रब्येति सुवर्णेत्यर्थः । अविनिगमकत्वादाह । क्षत्रीति । क्षत्रादिभिन्नीह्मण-सुवर्णापहारविषयमपीत्यर्थः । वा चार्थे । तत्र वासिष्ठे । मरणांते ते । अत्र पक्षांतरमाह । तथेति महाहत्यावदित्यर्थः । आविना विषः । आवस्य नियतत्वेऽपि गोसवस्य साधारणत्वात् ॥ २२७ ॥

याज्ञवल्कीये २५८ श्लोकः।

म्रेपं इति सप्तमी । तस्य तस्विववक्षया, वार्षिक संपूर्णं । आत्मतुल्यसुवर्णदानादिगुरुतरप्राय- २५ श्रिक्तसमपाठात् । एतच्चेति । एतेन रजतादिबुध्या कामतोपहारे इदं । अकामतस्तद्भुध्यापहारे तुँ षड्डार्षिकमिति शूल्जोक्तमपास्तं वक्ष्यमाणदोषात् । बुद्ध्या वा अपहरति । पुनः पश्चात् । न च नापि । मात्रपदेन जातेरिव तत्कार्यकरणसमर्थत्वस्यापि निरासः । तेन न वर्बुरादौ दोषः । नदमिति अपहारकृतदोषे न तज्ञानं हेतुः किंतु तथ्सतेतिभावः । इदमेव द्रदयति । न चेति । अनभिज्ञस्य शंकेयं । यच्चेदमिति । यदपि प्रायश्चित्तमित्यर्थः । सम्यगर्थेति स्वरूपसानित्यर्थः । अन्यस्वरूपित । अत इति ।

उत्तरार्धे व्याच्छे । अस्मिन्नेविति । अत्यंतघनिकभ्रोत्रियविषयमिदं । तीर्थयात्रासहितं पद्मिन्नेकं निर्धनश्रोत्रियविषयमिति माधवः । प्रागुक्तद्व।दशवार्षिकनिरासायाह।तप इति।विशेष-

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माह । यदा त्वित्यादिना । द्रव्यं सुवर्ण । ईदृशं निर्गुणास्वामिकं । अत्रिमेवाह । षडब्दामिति । पत्यर्पयाति स्वामिने । त्यज्ञति मार्गादौ । इद्मुभयमि प्रागुक्तं । निन्वति । एवं चोभयतः मि. प्र. २६६. स्पाशा रज्जुरिति भावः । चस्त्वर्थे । प्रकलेशिति तल्लक्ष्यस्येत्यर्थः । एवं तत्र तस्याल्पत्वे सति । तस्य चोरस्य । अत्रैव विशेषमाह । यस्त्विति । इदं ब्रार्षिकादि ।

अत्र संसृष्टत्वमवयवत एव अन्यथा शंकाया एवासंभवात्तदहाथोति । प्रागुक्तैवाक्य-तया आह । तत्सुवर्णेति । प्रत्यहमिति पूर्वान्वयि । प्राग्वदाह । तदिति । एवमन्यान्यपि व्यवस्थाप्यानि । तथा च भविष्यत्पुराणे

"माहापातकनिर्देशे तृतीयं स्तेयमुच्यते । न चाप्यबुद्धिपूर्वं तु क्रियते केनचित्कचित् ॥
"महत्यपकृते पुत्र तथा चान्यकृते गुह्र । जात्येकत्वं वा विशिष्टमुशंति क्रवयो गृह् ॥
"हंतुर्विशेषो देवेश ह्रियमाणिवशेषतः । अर्थस्याप्रमाणाय विशेषो निष्कृतेर्भवेत् ॥
"बाह्मणद्रव्यविशेषात्प्रयोजनविशेषतः । अनुबंधविशेषाच प्रायश्चित्तं विधीयते ॥
"हत्वा तु कांचनं विप्रो गुणिनो बाह्मणस्य तु । स्वयं च निर्गुणो वा स्याचरेत्वह्महणो वतम् ॥
"यदा च निर्गुणः स्वामी क्षत्रियो वैश्य ए । वा । हर्ता च बाह्मणो वा स्याचदापस्तंबभाषितं ॥
"क्षत्रियस्य सुरश्रेष्ठ गुणहीनस्य कृत्सनशः । हत्वा कांचनं विप्रः प्रायश्चितिमृदं चरेत् ॥
"वतुर्थकाळे भुजानस्रिकाळं स्नानमाचरेत् । स्थानासनाभ्यां विहरिश्वभिवेषविद्यमुच्यते ॥
"क्षत्रादीनां गुणवतामल्पेऽह्मपहते गुह् । अल्पानुबंधे च तथा एतदेव भवेद्विभो ॥
"अष्ठविप्रसुवर्णं तु प्रभूतमपहृत्य च । स विशिष्टानुवधं च बाह्मणो यूतविष्ठभः ॥
"प्रायश्चित्तमिदं कुर्योद्गदतो मे निबृध्य । लोमहीनो घृताकश्च आत्मानं पावके क्षिपेत् ॥
"हत्वा तु कांचनं वीर क्षत्रियो बाह्मणस्य तु । सानुबंधो ह्यनाह्यस्य दुरोदरपरो गुह् ॥
"आत्मानं स हनेद्दीर शस्त्रिणौदुंबरेण तु । ततः शुद्धिमवामोति दिष्टांते प्राणवर्जितः ॥"
दिष्टांते आयुर्दैवभाग्यविच्छेदे ।

"द्दत्वा तु कांचने वैश्यो गुणिनो ब्राह्मणस्य तु । व्यसनी गुणहीनश्च सानुबंधः सुराधिष ॥ "कृत्वा पाशं केशदाम्मा तदात्मानं सुराधिष । तद्वच त्यजाति प्राणांस्ततः शुद्धिमवामुयात् ॥ "चरेत्सांतपनं कुछूं तिम्नर्यात्यात्मशुद्धये । गृहीतं स्वामिने दत्वा "

२५ आत्मशुद्धये मरणांतिकप्रायश्चित्तकरणयोग्यताये अमुमेवार्थमाह

"तिश्चरित्येति तु वाक्यं प्रवहंति मनीषिणः । तत्पूर्वं चैव योग्यस्य सूचकं नात्र संशयः।" तिश्चर्यात्येति तु वाक्यमिति चरेत्सांतपनिमिति पूर्ववाक्यं । तत्पूर्वं मरणांतिकप्रायश्चित्तात्पूर्वे योग्य-स्येति भावपरं योग्यत्वसूचकं । अपहृतद्रव्यं दत्वा सांतपनाचरणांतिकप्रायश्चित्तं कुर्यादित्यर्थः ।

"क्षत्रियस्य तु बालस्य ब्राह्मणो हरते यदि । पंचिनिष्कप्रमाणं तु सुवर्ण कैतवं प्रति । "कृष्णाजिनी जटी दंडी मिताशी विजने वने । जपमानोर्कसूक्तं च चरेद्रह्महणो वतं ॥ "क्षत्रियस्य गुणाढ्यस्य हत्वा विप्रस्तु निर्गुणः । चतुर्थकाले मुंजानास्त्रिमिवेषैविंशुध्यति ॥ "क्षत्राद्योऽपि गुणिनोऽल्पमूल्यानुबंधि वै । क्रुत्वा चौर्यमनेनैव शुद्धेयुनीत्र संशयः ॥ "विप्रस्य गुणवान् विष्रो निर्गुणस्यापद्दत्य तु । चतुर्थकाले मुंजानस्त्रिमिवेषैंवर्यपोहिति ॥ "ब्राह्मगस्य गुणाढवस्य हत्वा विप्रस्य निर्गुणः । प्रभूतं सानुबंधं च स शुध्येतु कटाग्निना ॥ "गुणवान्त्राह्मणो हत्वा क्षत्रियस्यागुणस्य च । चरेत्सांतपनं कृच्छ्रं तन्निर्योत्य आत्मशुद्धये ॥ "एवमन्यान्यि विभो प्रायश्चितानि भागशः । सुर्वणस्तेयविषये स्थापनीयानि पंडितैरिति ॥"

अत्रापि । स्तेयविषयेऽपि । यानि च यानयपि । रूप्यं कर्षमितं । गद्याणेति । किंचिद्धिकशास्त्रीयमाषत्रयेत्यर्थः । टंकपरिमितेत्यर्थं इति केचित् । तत्वं तु मत्कृतमूलाध्यायविवृत्तौ भ
दृष्टव्यं शतादिकमपि गद्याणस्यैव । समोति । तद्धैत्यर्थः । तिदृति उपपानकत्वनिवृत्त्यर्थमित्यर्थः । हेमविधिरित्यनेन साम्यातिदेशो न स्वरूपातिदेश इति भावः । हीनेति क्षत्रियादिरत्नापहारविषयं च उत्तमरत्नापहारस्य सुवर्णस्तेयसमत्वादित्यपि बोध्यम् । गद्याणसहस्राधिकमूल्यविप्रस्वामिकवस्तुमात्रहरणमेतत्तुल्यमित्यपरे । युगपद्नेकस्वर्णापहरणेऽप्येकमेव प्रायश्चित्तं हरणकियाया एकत्वादिति दिक् ॥ २५८॥

इति सुवर्णस्तेयप्रायश्चित्तप्रकरणम्।

याज्ञवल्कीये २५९ श्लोकः।

उद्देशिति । नाम्ना वस्तुसंकीर्तनमुद्देशः । कर्जाकांक्षायामाह । समा वेति । विशेषमाह । कार्ष्णीतृ योषितेत्यस्यार्थः । स्त्रीप्रतीति प्रत्यासक्तेः स्मृत्यंतराचाह । तदात्तयेति । नैतावदेव मि. पृ. २६७. किं तु वक्ष्यमाणास्यात्रापि संबंध इत्याहैविमिति । अथ विशेषानाह । १५ श्रयनं चेत्यादिना।मानवे गुरुतल्पेऽर्श आयच् । गुरुतल्पीति पाठातरं "तते स्वप्यादयोमये" इति तच्छेषः । तथेति । न तु कंठे स्वापमात्रमिति भावः । अनैन मृन्मय्यपि पाक्षिकी तत्प्रतिकृति-रुक्ता । ताम्रीमिति ताम्रवर्णामित्यर्थः । अभिष्णामिति यावत् । मूर्तिं सुर्मामिति पाठांतरं । सुर्मी "स्थूणाऽयः प्रतिमा" इत्यमरः (२।२१।७८१) । एवमग्रे मानवेऽपि ।

मानवेऽविकल्पस्य स्पष्टत्वादाहु । न चेति । द्वयमिति । प्रकृते योगीश्वरीये इति भावः । २० अत एवाहायस्येति । यत इत्यादिः । मानवविकल्पविषयस्तु अनुपदमेव स्फुटीभविष्यति ।

अथोत्तरार्द्धं व्याचष्टेऽथ वेति । मन्वायनुरोधेन व्याचष्टे । सिंछंगावित्यादि । शिश्वसिहतवृषणावित्यर्थः । आतिष्ठेत् गच्छेत् । आनिपातात् आदेहपातात् । विशेषानाह । गमनं चेत्यादिना । दक्षिणेति । तत्संबद्धनैर्ऋतीत्यर्थः । अत्र द्वितीये अयमेव तद्दत्कर्तनादिक्रपप्रायश्चित्तरूपप्रायश्चित्तरूप एव । आसां पूर्वोक्तानां तद्दकं तेनैव (१२।७३-७४) २५

"माता मातृष्वसा श्वश्रूमीतुळानी पितृष्वसा । पितृव्यसिसिशिष्यस्त्री भगिनी तत्ससी स्नुषा ॥ "दुहिताऽचार्यभार्यो च सगोत्रा शरणागता । राज्ञी प्रप्रजिता धात्री साध्वी वर्णोत्तमा तु या॥" इति शिक्षस्य सन्नृषणस्य । उक्तवैपरीत्येन ।

विनिगमकत्वादाहैविमिति । उक्तविद्यर्थः । राजकृतिमिति भावः । तत्र मानमाहे-इमेवेति । धृतेति धारितेत्यर्थः । अंतर्भावितण्यर्थत्वात् । कृतेति पाठेऽण्येवं । निर्मलाः संत 30 इत्यन्वयः । तत्रान्यतरार्थं कृतेनान्यस्यापि सिद्धिसत्वेऽण्यन्यत्र वैलक्षणमाह । धनेति । तस्मिनुक्वृते सतीत्यर्थः । तेनैव नारदेनैव । उपसंहरति । अनयोरिति । मूलोक्तयोरित्यर्थः । अत्र न सर्वत्र । मुख्यया शक्त्या संभावयति । पालयति । विप्रो विप्रादिः । णचणापिकियाशब्द-स्तत्पर उपस्थितत्वादित्याह । निषेकादीति ।

अन्यत्रापि पितृभिन्नेऽपि । तदेव शिष्यसमूलमाहोपेति । स्वल्पमित्यादि कियाविशेषणं। ५ यस्य श्रुतस्य गृहीतवेदस्य यस्य यत्संबंधि वेदस्य वा। इह शास्त्रे । अपिनाऽन्यसमुच्चयः । इति अनेन । एवमग्रेऽपि । अन्यत्र अन्यत्रापि प्रयोगो दर्शित इति पाठः । अत्र विशेषो दर्शित इति पाठेऽत्र गुरुविषये प्रवृत्तिनिमित्तभेदादाह । न चानेकेति । भूतायाः तत्वं प्राप्तायाः । तत्र मानमप्याह । दार्शितं चेति । तथोपक्रमोपसंहाराभ्यां तथा लाम इति भावः । नेदं प्रवृत्ति-निमित्तं किंतु वाचनिकं प्रबलमितोऽन्यद्वेत्याह । न चोपेति । वचनात् प्रतिपादनात्स एव मि. पृ. २६८ पितैव । अस्यातिष्रसक्तं तुल्यमाहाचार्येऽपीति । तदेवाह्योत्पेति । एवं विशेषे उक्ते सामान्योक्तिमप्याह । गौतेति । नन्वेवं वचनद्वयप्रामाण्यादुभयत्रैव मुख्यत्वमस्त । अत आह । किंचेति । मात्रपदेन पूजार्हत्वव्यवच्छेदः । वचनात् । 'उपाध्यायदशे'त्यप्रिमात् । तथा च तत्पशब्दानर्थक्य स्पष्टमेव । कर्मधारयसंभवेऽप्यतिप्रसंगानिवारकत्वात्संवर्तादिवचन-विरोधाच्च तद्भिप्रेत्योपसंहराति पूर्वपक्षी । तस्मादिति । उक्तरीत्येति भावः । सावकाञानिरव-१५ काशयोर्निरवकाशं प्रबलमिति न्यायेनाह । निषेकादीति । विधीति । एते मान्या इति मौलेत्यर्थः । उक्तं पोषयति । अत एवेत्यादिना। तथा तद्वदातिदेशिकं । भार्यास्त गमने इति क्षेषः । उभयमुपपाद्यति । आचार्यादेरिति । सर्वसाधारणं परिष्कृतं दोषमाह । किँचेति । वर्जिमिति णमुळंतं । "भगिनीं मातुराप्तां वा तप्तकुळूं समाचरेत् " इति तच्छेषः । उपसंहराति । अत इति । अपिरुक्तदोषसमुच्चये । एवेनान्यप्रागुक्तव्यवच्छेदः । गौणं तत्वं तु तत्रापीष्टमेवेत्याह । २० मुख्य इति । अत एवाह । तच्चेति । इति इत्यन्न । तदादेशिति भावः । उपसंहरति । अत इति । तस्याविशेषादित्यर्थः । पितृपत्नीतत्वावछिन्नानमतिवसंवर्तादितस्तथैव लाभात् । एवेनाचार्यादि-पत्नीग्रमनव्यवच्छेदः ।

तत्र विशेषमाह । गमनं चेति । संपूर्णगमनत्वस्य तत्रैव सत्वादिति भावः । तत्र च चरम- धातुविसर्गपर्यतगमने च । तच्च उभयं च । वासिष्टमिति । अधिकदुः खोतपादकत्वादिति भावः । एतदेव विशेषस्यानुक्तेः संवर्तायुक्तविषये शंकते । ननु चेति । न्यूनत्वादाह । हीनेति । अत एव तत्र सवर्णामित्युत्तमवर्णाया अप्युपलक्षणमित्युत्तमवर्णायां चेति प्रागुक्तं । इदं च मरणांतिका- दिकं च । मुख्यस्यैव औरसस्यैव । यत इति शेषः । एवं च सापत्नमानृगमने च यत्प्रांयश्चित्तं तत्क्षेत्रजादीनां नेति भावः । अथ व्यवस्थामाह । तत्रोति । मौलयोर्मध्ये इत्यर्थः । अनुबंधेति साधनेत्यर्थः । अधिकदुः खोत्पादकत्वादिति भावः ।

) विरोधं परिहरति । यत्वित्यादि । गते समाप्ते । शुध्यतीति शेषः । इदं साधारणमित्याह । रुक्मेति । अत्रैव विषये तत्रोऽर्वाभिवृत्ताववाहाकमिति ॥ २५९ ॥

याज्ञवल्कीये २६० श्लोकः

प्रायश्चित्तांतरिमाति । हीनवर्णविषये एवेति भावः । अत एवाहैतच्चेति । वेदेति पद्कम-मि. पू. २६९ रहितसंहितामात्रेत्यर्थः । तत्रैव उक्ता व्यवहितविषयद्वये एवं यथाकमिति भावः । क्षत्रियति । ब्राह्मणीपुत्रस्येत्यस्यानुषंगः । उक्तं दृढयति । इदं चेति । तत्रेव व्यवहित-विषये एव । पुनः वारंवारं । कश्यपेति । कण्वेति पाठांतरं । अत्रैव विषये शंखायुक्त-द्वादशवार्षिकादिसर्वविषये । तस्यैवाह । वैश्यायां त्विति । प्रकरणाद्बह्मशब्दो ब्राह्मणीपुर इत्याह । ब्राह्मणीति । एवमन्येत्यस्यार्थमाह । तस्यैवेति । ब्राह्मणीपुत्रस्यैवेत्यर्थः । तथाभूतायां मातुः सपत्न्यां । पादशब्दो द्वादशाब्दपादपर एवेति भावः । प्रागुक्तक्षत्रियादीत्यादिसंग्राह्ममाहैव- प्रमिति । एवमेव नववार्षिकमेव।ततः मरणात् । ब्राह्मणीपुत्रस्यदं । तस्यैवाह । श्रुद्धायां त्विति । पुनः वारंवारं । तस्यैवाह । क्षत्रियायां त्विति । अत्रैव तस्य क्षत्रियायां । तथैव तस्यैवाह । वैश्यायां त्विति । हीनत्वादकामाचाहैतदेवेति । तत्रैव तस्य तथा वैश्यायामेव । मरेति आयुःसमाप्तिपर्यतमित्यर्थः । गुरोरिति । गुरोर्भायायां वैश्यायां गमनमभ्यस्येर्थः । षडंगवाक्-पाण्युपस्थचक्षुःश्रोत्रमनोरूपषढंगं विशिष्टं तस्यैवाह । गुर्विति । हार इति स्वकर्माचक्षाण १०

मि. पृ. २७०. इत्यपि बोध्यं। अरुवमेधावमृथस्नाने वेति तच्छेषः। अत्रेव तस्येव। तथा श्रूद्रायांतेद्रिय इति "हविष्येण यवाग्वा वा गुरुतल्पापनुत्तये" इति तच्छेषः। तस्येवाह। क्षत्रि-यायामिति। गुरोरिति दांपत्यरूपसंवंधः षष्ट्यर्थः। एवमग्रेऽपि। पुनस्वर्थे। तत्रैव तस्येव। तस्येव क्षत्रियायां पूर्वनिवृत्ताविति शेषः। तस्यां प्रवृतस्य। एवमग्रेऽपि। सर्वत्र अत्रैव तस्य तथा निवृत्तौ वैश्यायामेव। सताष्ट्राविति दिनानीति शेषः। तस्यैवाह। ग्रूद्रायां त्विति। तत्रत्रेव शृद्रायाः भेषे मेव। तस्य तथा निवृत्तौ। वासकामित्यत्र चार्थे कः। नीपेति। ब्राह्मणीपुत्रस्य क्षत्रियागमने वैश्यागमने च यत्प्रायश्चित्तं तदेव क्षत्रियागमने यत्प्रायश्चित्तं तदेव क्षत्रियागमने यत्प्रायश्चित्तं तदेव वैश्यापुत्रस्य क्षत्रियागमने यत्प्रायश्चित्तं तदेव वैश्यापुत्रस्य श्रुद्रागमने इति द्रष्टव्यं। यत्र शृंगग्राहिकया विशेषोऽभिहितस्तत्र स एव ग्रह्मः। अत एवंविधपापेषु प्रवृत्तानां। अत एव अविशिष्टत्वादेव। कार्य कारियतद्यं। कर्तुस्तत्वेन विवक्षया सप्तमी वा। एतदेवे २० त्यस्यार्थमाह। द्वादशोति। स्रीणामर्धस्य विहितत्वादाहाः द्विति। अयं तु विशेषः। अरण्यादि-स्थितिनीस्ति। किं तु गृहे एव वास इति। तथा च योगियाज्ञवल्क्यः (प्रां. २९७)

"पतितानामेष एव विधिः स्त्रीणां प्रकीर्तितः । वासो गृहांतिके देय अन्नं वासः सरक्षणम्" इति । रक्षणार्थमनुवाससः समीपे एव वासः कर्तव्यमित्यर्थः । एवमनुलोमगमने निष्कृतिरुक्ता स्त्रीणां प्रतिलोमगमने तु विशेषो व्यक्तीभाविष्यति पारदार्थप्रकरणे । इति इत्यादिना । एवमग्रेऽपि । एक- २५ रात्राभ्यासे विशेषस्य वक्ष्यमाणत्वादाहेकिति । अभ्यस्तेषु अत्यंताभ्यस्तेषु । अत्र न तु सर्वत्र । तथा मि. ए. २०१ बृहद्यमवत् अस्पष्टत्वादाह तथा हीति । एकरात्राभ्यासे विशेषं वक्तुमुक्त-मुपसंहरति । पत्रचेति । मरणांतिकं चेत्यर्थः । सेवनादिति पाठः । सेवनं संभोगस्ततः । यत्करोति यत्पापं जनयति तत्पापं च जपन् गायत्रींऋक्संहितां वा व्यपोहति विनाशयति । अत्र मानवे । यत इति महत्वादस्येतिभावः । अत्र मानवे । दर्शनमत्यंतसंयोगे हेतुः । च सहार्थे। प्रसंगाचंडाल्यादि- ३० गमने विशेषं भगिन्यादौ तथा वक्तुमाह । यदा पुनरिति ।

स्वयोनिशब्देन भगिनीत्याह। स्वयोनिष्विति। एकवाक्ये सहपाठादित्यर्थः। भृगुपतनादि-निरासायाह मरणांतिकमिति। अत्र गुरुमार्यागमनविषये। कात्येति। हारीतोऽपि। मातृद्धहितू-स्नुषागमनमित्यतिपातकान ।

प्रायाश्चित याज्ञवल्कीये

"अतिपातिकनस्त्वेते प्रिक्शियुर्द्धताशनं। नहान्या निष्कृतिस्तेषां विधते । हे कथंचन॥" इति । विरोधं परिहरति । जनन्यामिति । तत्रातिपातकशब्दस्तु साधारणेति । वेश्यास्वित्यर्थः । जात्युक्तं तत्त्रज्ञातिप्रयुक्तं उपसंहरति । प्रविमिति । प्रतिपत्तिः प्रतिपादनं ॥ २६० ॥

इति ग्रुस्तल्पप्रकरणं।

याज्ञवल्कीये २६१ श्लोकः।

तद्भद्रयोद्देशाभावात्तःसंगत्यभावादाहैविमिति । बंध हशिष्यजिज्ञासानिवृत्तौ सत्या-मि. पू. २७२. मवश्यवक्तव्यत्वमवसरः । एकत्विविवक्षया आहेकिमिति । वै इत्यस्यार्थो-ऽत्यंतिमिति । तिङ्ग्योविवक्षयाह संवेति । उभयतात्पर्यार्थमाह । सहाचेति । एषां प्रत्येकं सहाचरणं विविक्षितं । तत्सम इत्युक्तेरित्याह योनेति । तस्य पातिकत्वस्य ।

• नन्वेवं न्यूनप्रायश्चित्तापतिरत आहाज चेति । संसर्गविषये इत्यर्थः । साक्षादिति । उपदेशत इति भावः । अपीति हेतौ पंचमी । दर्शयतीत्यज्ञान्वयः । पातकी अनुपातकी । आदिना आतिश्रंशकरादिसंग्रहः । एकजेव वैकल्पिकानेकसंग्रहायाह जातिमिति । अनेन पौनस्कर्यं परिदृतं । प्रशं पूर्वोक्तानां चतुर्णो मध्ये मनुनापि सर्वति इदमुकं तथाऽपि

"एवं पापकृतामुक्ता चतुर्णामिप निष्कृतिः। पतितैः संप्रयुक्तानामिमाः शृणुत निष्कृतिः॥
"संवत्सरेण पतित पतितेन सहाचरन्। याजनाध्यापनाद्योनान्न तु यानासनाश्चनार्दिति॥"
अञ्यवहितप्रागुक्ते पातिकेमंसर्गविषयमवेदमत एव पतितेनेत्यत्राप्युक्तमत आह विष्णुनाऽपीति।
सामान्येनेत्यस्य दर्शितमित्यत्रान्वयः । मात्रं कात्स्रं।एवं वा पौनस्कत्यं।एवमग्रेऽपि। मन्वंतरमाह।
तथेति। तद्वदित्यर्थः।अकृते इति छेदः।पाष्यत्र कृत्री। अविरोधाय व्यवस्थामाह।तच्चेति। उक्तवनांति
दिष्टं चेत्यर्थः। उषित्वेत्यस्य मिश्रित इत्यत्रान्वयः। य इति शेषः। संवत्सरं अभिव्याप्य।चाप्यर्थे।
२० अत एवाविरोधमाहाज्ञानत इति। संवत्सरामित्यर्थः। पुनस्त्वर्थे। तृतीयांतयोः पूर्वान्वयः।ब्राह्मणयाजनाध्यापनक्षपेण यौनेन विवाहक्षपेण मात्रा उपलब्धाः संसर्गजफल्यनं प्राप्तं अनशनं यावत्संहितापरायणं।विशेषमाह।तथोति। मूलमेवाह।ब्रह्महेति। इति इत्यनेन वचनात्प्रतिपादनात्।

एवं सिद्धांते शंकते । निन्वति । तस्योति । विशेषसंसर्गस्य प्रत्येकं हेतुत्वे व्यभिचारादित्यर्थः । तैरित्यंतेन महापातिकपरामर्श एव नं क्शिषपरामर्श इत्याहात इति । युक्त्यंतर२५ माह । न चेति । नापीत्यर्थः । उक्तमूळेन तेषां चतुर्णां तत्साक्षात्संसर्गेण च वाक्यमेदेन महापातिकत्वमुच्यते । न तु तत्संसर्गिणोऽपि बोधकाभावात् । नापि स्मृत्यंतरेण तद्भावाचापि
प्रत्यक्षादिना असंभवादेवं च तैरित्यनेन महापातिकसंज्ञकचतुष्टयपूर्ववाक्योक्तपरामर्शः । समुदितसंसर्गस्तु न हेतुस्तत्संज्ञायाः प्रत्येकमेव करणात् यो येनेत्यनेन प्रायश्चित्तस्य प्रत्येकसंसर्गे एवं
विधानाच व्यभिचारोऽपि न द्वितीयवाक्यत्वापाक् तत्वस्यान्यज्ञाभावाच्चतुष्टयमातृवृत्तित्वस्य तस्य
३० पूर्ववाक्यतो लाभात्तद्वप्यक्यमीवच्छिन्नचतुष्टयसंसर्गस्य प्रत्येके हेतुत्वात् इत्याशयेन समाधते ।
स्यादेवमित्यादिशन्दैकेति प्रकृतेत्यादिनैविमिति । एवं नेत्यर्थः । युक्त्यंतरं खंडयति । एवं
च सतीति । शब्दतस्तद्लामे सतीत्यर्थः । नन्वेवं तस्यादृष्टत्वापत्तिरत आहात इति । ततीः

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हानिः पातित्यं तथोक्तरवात् । अत एवाह । पातित्याभावे इति । मानवमाहैनस्वभि-रिति । उपसंहरति । पातित्याभावेऽपीति । तस्मादित्यादिः । मूळाचनुक्तत्वात्सप्रमाणं तत्त्वरूप-माह । न तच्चेत्यादि । तत्समतां न तु तत्वं अतो न पूर्वविरोधः । अत एवाह । पादहीनिमिति । तत्र तु देववतमित्यमेऽनुपद्मेव स्फूटं। अनेनैव न्यायेनाग्रेऽध्याह। एवमिति । तरसंसर्गिसंसर्गिवदुक्तरीत्यां प्रकारकल्पनेनेत्यर्थः । चतुर्थत्वादिबहाहाद्यपेक्षं षष्ठादौ तु नैवेति ५ तात्पर्य । प्रकृतमुपसंहरति । अत इंति । प्रायश्चित्तेति प्रकृतेत्यादिः । अत्रापि स्पष्टार्थे प्रागुक्त-मेव । विशेषांतरमाह । अत्र चेति । मुलस्मृतौ चेत्यर्थः । मानवाद्याह । स तस्यैवेति । मरणस्येति ठौकिकतांत्रिकप्रसिध्यभावात् । अत्र तत्संसिगंगि प्रागुक्तरीत्यां आह । अकामत इति । तत्र संवासः सहाचरणं । तच आचरणभेद्भिन्नसंसर्गमात्रोपलक्षणामिति ध्वनयन् विशेषमाह । संसर्गश्चेति । निबन्धनकारणं न वधेत्यप्युपलक्षणमिति सूचयन्नाह । अनेकधेति । अत १० एवाह । देवलोऽपीति । लघुगुरुकमेण संलापादिकमः सहयानासनाशनादित्यादिसमाहार-द्वंद्वात् पंचमीक्रमेण वाक्यद्वयार्थमाह । समुद्धिते तदन्वय इत्याहैकासनापेति । अन्यत्राप्येकत्वं बोध्यमित्याहैकपंक्तीत्यादिः । एकमांडेत्यस्यार्थोऽधमेति । यथाश्रुतासंगतेरिदमग्रिमं च व्याख्यानं बोध्यं । निगमनाविरहादाह । स्वस्य वेति । तस्मा इति । एतेन "योनिः प्रजननंत युक्तेन पतितेन पतितेन पतितया वा मैथनयोग" इति मदनशूलपाण्यायुक्तमपास्तं । एकपंकिमोजन- १५ स्योक्तत्वादाहैकत्रामत्रे इति । देवलार्थमाह । संलाप इति । सह स्व(य)मग्रेऽप्यभयत्र बोध्यं। तैचोक्तमिति पननींकं।

अविरोधायाहात्रेति । बृहद्विष्णुवाक्ये इत्यर्थः । अविरोधाय तद्र्थमेवाह । स्नौवेत्यादि सुवसाधनककर्मकृतत्वादिति भावः । अविरोधाय मूलतात्पर्यं बकुं स्मृत्यंतरोक्तानां संसर्गभेदकानां व्यवस्थामाह । सौवेत्यादिना । यधिप उक्तद्भेवलादेव तथा लभ्यते तथापि गामश्वमिति २० तं विनापि समुचयस्य तत्र प्रतीतिसंभवात्तत्र साधकमित्याशयेनाह । यः पतितैरिति । एतदेव द्वादशवार्षिकमेव । द्वंद्वनिर्देशतौल्येऽपि तद्वदत्र वचनाभावादाहेकेति । अल्पत्वादाह । प्रत्येकिति । वेवेत्यस्य समुचितानामेवेत्यत्रान्वयः । तेषां पार्थक्येनासंभवात्र तत्समकक्षत्वमित्याहानुषंगिकतयेति । गौणतवत्यर्थः । सर्वतात्पर्यमाहात द्विते । तेषां पार्थक्येनासंभवात्र तत्समकक्षत्वमित्याहानुषंगिकतयेति । गौणतवत्यर्थः । सर्वतात्पर्यमाहात द्विते । तेषां पार्थक्येनातत्वादित्यर्थः । स्वल्पत्वादेवाह । पंचमेति । प्राधान्यादाह । सहपाना- २५ दोति । एवेन पार्थक्येन संलापादित्रयव्यावृत्तिः । एवमग्रेऽपि । इदं दृढयति । यत इति । ननु मानवे त्रयाणामुक्तेः कथं चतुष्टयस्यत्यत आहात्रेति । तस्यापीत्यर्थः । वचनांतरात् अवि-रोधायाहात्र चेति । तथा तद्वत् । असमानविभक्तित्वाद्मेदेन तृतीयाया अभावात् । भेदेन च तदसंभव इत्याह । न चेति । तदमावेऽपि हेतुपंचम्या समाधते । यानिति । इति एवं । व्यव-

मि. पृ. २७४. हितान्वये दृष्टांतमाह । यथेति । मत्यंतरसंभवं क्रिष्टं हेतुपंचमी युक्ताऽत 30 आह । यद्वेति । लक्षणहेत्वोरित्यनेन तृतीयपादार्थमाह । याजनोति । त्वर्थमाह । किंत्विति । उपसंहराति । अत इति । येन प्रत्येकं येन तुसमुचितेन कार्येति तेन नैरंतर्ये सत्येवेदमिति प्राच्यो-क्तमपास्तं । वत्सरोन्नसाव इत्याह । यथेति । षष्ट्यिकं दिवसायां यत् इति त्रयत्यापित्व-मित्यर्थः । दिषु विषये उक्तक्रमेण प्रायश्चित्तान्याह । त्रिरात्रमित्यादि । चांद्रोति । कृल्पूर्वक-

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चांद्रायणमित्यर्थः (अधिसंज्ञायाहात्र चेति । विशेषं परिहरति । यत्त्विति । पातित्यवचनं तत्प्रति-पादकं क्रमेणाह । पंचेत्यादिप्रीयेतत्सदृशे । न्यूनतां परिहरति । पतिदृति । दिक् रीतिः । अत्रोभयत्रान्वयः । प्राग्वदाह । पुरुषविदाति । तात्पर्यमाहात दृति । तथैवाहैविमिति । उक्तरीत्ये-त्यर्थः । माधवस्तु संसर्गदोषः कळे पातित्यापादको न तत्त्यागस्य कृळिवज्येषु गणनात् । पत्था हि स्तेयान्याधिकपापशुद्धिर्धसंकोचो गुणापेक्षयेति दीपिका । तथा चोक्तम्

"वतस्वाध्यायसापेक्षमघसंकोचनं तथा । प्रायश्चित्तविधानं च विप्राणां मरणांतिकं॥ "संसर्गदोषस्तेयान्यमहापातकनिष्कृतिरिति"। किंतु पापमात्रापादकः । तथा च पाराहारः आसनाच्छदनाद्यानात्संभाषात्सहभोजनात् । संन्नामंतीह पापानि तैल्लविंदुरिवांभसीति ॥" तस्मात् कलौ चत्वारि महापापानि । तत्संसर्गस्तु युगांतरे महापातकम् । कलौ तु प्रकीर्णकेषु १ इष्टब्यमित्याह । वस्तुतो

"न्यसेद्देशं कृतयुगे त्रेतायां प्राममुत्सुजेत् । द्वापरे कुळमेकं तु कर्तारं तु कलौ युगे ॥" इति पराशरस्मरणात् । कृतयुगादौ दोषजनकत्वेनोक्तस्य देशादिसंसर्गस्यैव किल-वर्ज्येषु गणनम् । अयं चापरो विशेषः । यत्कृते संभाषमाभात्रादेव पातित्यं त्रेतायां स्पर्शमात्रात् द्वापरे तस्त्वामिकान्नप्रतिप्रहात्कलौ कृत्स्नेन समुदितेनैव कर्मणेति दिक्ं । तदाह् दिगिति । (उत्तरार्थः ।)

कचित्कन्याग्रहणांशे अन्यत्रस्यैवाभावादाह । पतितेति । "अशुचिशुक्रोत्पन्नातां तेषां श्राद्धमिच्छतां प्रायिश्चतं पतनीयानां तृतीयोंचाः स्त्रीणामंशातृतीये " इति बोधायनस्य पतनीयानां पतितानां बाहुलकात्कर्त्तर्यनीयरूपितितेत्पन्नानां शुद्धिमिच्छतां पतितप्रायश्चित्तस्य तृतीयोंऽशः पुमपत्यस्य स्वचपत्यस्य तृ तृतीयस्यापि तृतीयोंऽशः इत्यर्थकस्य पतितेन प्रायिश्चित्ते कृते २० तेषां तिद्वषयता न तृ प्रकृतविषयतेत्यभिप्रेत्याह । कृतिति । कृतस्तत्संसर्गों यत्र काले तद्योगये इत्यर्थः । अन्यद्य्याह । तथिति । पतितोत्पेति पतिताश्च महापातिकनोनुपातिकनोनुपातिकनस्तत्संसर्गणो नास्तिकः प्रमादाद्यि चिरं श्रौतसांतिकर्मत्यागी अतमुपपातकाभ्यासो समुद्रपानप्राप्ती कन्याभिन्नः पतितोत्पन्नः। अपितृपित्रादित्यागी पीते तु पुत्राद्यत्यागी पातकेषु च कर्तृणां प्रयोजका इत्येवमाद्यः । एते चाकृतप्रायश्चित्ता अव्यवहार्याः । मातुस्तु तादृश्या अपि न त्यागः । किंतु स्येवापोषणं च २५ पृथक् कार्ये । पितुरातमापि महापातिकन एव त्यागो नान्यथा । पतितस्य तुल्ययुक्त्या प्राप्तशंकां मि. पृ. २०५ निराचष्टेऽन्यत्रोति । अत्र बीजमाह । सेति । हि यतः । ननु दातुरयोग्यत्वान्तकथं तत्वमत आह । तामिति । तथा च पतितोत्पन्नत्व सति तन्मात्रगोत्रत्वं पातित्याति-देशानिमित्तं न तु केवलं तादिति तादृशसंसर्गविशेषे पुंस एव पातित्यं च कन्याया इति मादः । एतेन पुत्रस्येव कन्याया अपि पातित्यं प्रायश्चित्ते तु विशेषः । उक्तवौधायनात् । वासिष्ठं तु यतेन पुत्रस्येव कन्याया अपि पातित्यं प्रायश्चित्ते तु विशेषः । उक्तवौधायनात् । वासिष्ठं तु यादृशं पातित्यं पुंसस्तादृशं न स्त्रिया इत्येवंपरिमिति मूलोक्तमपास्तं । मिथ्रो विरोधात्॥ २६१॥

इति संसर्गिपायश्चित्तप्रकरणम् ।

याज्ञवल्कीये २६२ श्लोकः।

निषिद्धेत्यत्राऽये कर्मधारयः । द्वितीये बहुनीहिः । प्रत्येकमित्यत्र संमतिमाह । तथोक्तिति । विनिगमनाविरहादाह । यद्वेति । संप्रमापणे वधे । व्यवस्थामाह । तत्रेति । एवं मिश्रोऽपि । विरोधं परिहरति । यस्विति । अंतरप्रभवाः प्रतिलोमोत्पन्नाः । कालपदलक्ष्यार्थमाह । द्वाव्होति ।

अनेनेत्यस्यार्थे व्रतनिति। साधार्म्यान्न्यूनतां निराचष्टे। श्रृद्धेति। अङ्गवैकल्पायाह। यद्यपीति। प्रन्मस्कारमंत्रस्वरूपमादावुक्तम् । अंगवैकल्पेऽपिवचनं तस्पात्परमापूर्वे तिष्यति इत्याह । यद्वेति ॥ तदेवाह । तस्मादिति । समासादः । पर्षदुपस्थानम् । तथा तद्वतेनैव अंगिरसैव । विरोधं परिहरति । यन्त्विति । अस्येत्यस्यार्थः श्रृद्धस्येति । प्रकृतत्वादाह । व्रतो वेति । अनुपसत्तिः

मि. पृ. २७६ पर्षदनुपस्थानं । **एतानि** प्रागुक्तानि । उपसंहरति । **अत इति ।** प्रतिलोमांशे आह । यत्त्विति । ॥ २६२ ॥

इति पंचमहापातकप्रायश्चित्तप्रकरणम् याज्ञवल्कीये २६३।२६४ श्लोकौ ।

संगतिमाह । महेति । मासमिति कालाध्वनोशिति द्वितीया । गोष्ठ इत्यत्र शयवासेति सप्तम्या अलुक् । अथ भावायाह । मूलेति । अत्र वतचतुष्टयमित्याहासावित्यादिना । संयम इत्यस्यार्थः समेति । पंचगव्यानि यस्मिनसमूहः । सकुशोद्कसिहतस्तत्घटकानां तेषां स्वरूपणि १५ स्मृत्युक्तकुमेण गृहपंचेति तानि तद्धटकानि च पंचगव्यानीत्यर्थः । तथा च नेदं व्युत्पत्तिप्रदर्शनमिति न स्मृत्यंतरिवरोधः । अत एव न समाहारिद्वगुरिष । अस्य फलं सूचयन्नाहाहोरात्रेति । प्रत्यासत्या आहाऽतश्चेति । न्यूनतां परिहरित । अन्विति ते । एवमग्रेऽपि । वचनादित्यस्य गम्यत इत्यत्रान्वयः।

पदार्थानुक्ता वाक्यार्थमाह । एवमिति । चेन संयत इत्यपि । तद्वश्यति । समेति । दितीयार्थो निरमिति । ननु च द्यात्तयोः समुश्चय एव कुतो नात आहाऽत एवेति । अस्य २० वतस्यापरत्वादेवेत्यर्थः । एतदामिवैवकार इति भावः । कार्योऽथ वेति । उपसंहरति इतीति । अथ व्यवस्थामाह । तत्रेत्यादिना । तत्र चतुर्णी मध्ये । मात्रपदेन तपःश्रुत्यादिनिरासः । अये तेन गुणादिनिरासः । अत एवाह । विदिष्टिति । ताद्यग्विधे अकामकृते । एवमग्रेऽपि । इद्मुप-पाद्यगिति । अत्रेति । उक्तविषये इत्यर्थः । ततश्चेत्यस्य ठवीयस्त्वमित्यत्रान्वयः । एवमग्रेऽपि कल्प तत्तुल्यत्वाच्चेत्यर्थः । षड्भिरिति । अत एव षड्एकासाः प्राचापत्यप्रत्याश्रीय इति स्मृत्यर्थसारः । २५

अतिकृद्धस्वरूपमाहाऽतीति । तत्र च॰ तदात्मकेण संप्राजापत्यवते च विनिगमनाविरहामि. पृ. १००. दाहाऽथवेति । विरोधं परिहराति । यन्तिति । एवमग्रे सर्वत्र बोध्यम् ।
यत्रेति । तस्यैकं मासं पंचगव्येन वर्तनं स्यात् । तत्र प्रत्यहं पठत्रयपरिमितमित्यर्थः । मासस्य परान्हेऽपि संबंधः ।विनिगमनाविरहादाह । द्यादिति । उभयत्राऽऽहाऽत्यंतेति । उक्तिरासायाह ।
द्वितीयमिति । द्रष्टव्यमित्यत्रान्वयः । मासमित्यस्यानुवृत्यर्थमाह । मासमिति । षष्ठे ३० काले । वृतीयदिने रात्रौ अतिप्लवं । अतित्वरितेन मार्गेण । यवाग्र्मिति । यवाग्र्रुष्णिकाश्राणेन्त्यमरः (२।९।६३६) । तंडुलैः शिथिलपका यवाग्र्रिति कर्काद्यः । मिश्रवत्रूपा यवाग्र्रिति कर्काद्यः । यवाग्र्रिति धूर्त्तः । यावक उक्तः । शक्कत् गोमयम् । सप्तार्ता प्रावृत्तिः सक्तोः पुनरि मासप्रेत तथा च श्रूद्धामिकगुरुहत्या-

विषयमिति मावः । विनिगमनाविरहादाह । मृतेति । वर्णत्रयद्विजसेवं धान्यादिः । एवमग्रेऽपि विशेषं वक्तुमुक्तं व्यवस्थापयति । तदिद्गिति । अत एव जाबास्त अकामत इत्युक्तम् । तमेवाह । परेत्यादि । ईहक्विधावित्यस्येष्टव्याख्या । अविति । हविष्यमन्यत्र प्रतिपादितं । चतुर्थकास्त्रे द्वितीयदिने रात्रो उत्पत्यिनवृत्तये यवागुः कास्त्रमिति कियाविशेषणम् ।

"तिलमुद्गावृते शैव्यं सस्ये गोधूमकोद्ग्नौ । धान्याकं देवधान्यं च शमीधान्यं तथैक्षवम् ॥ "स्विन्नधान्यं तथा पण्यं मूलं क्षारगणः स्मृतः"— इत्युंकानि क्षाराणि । लवणानि प्रसिद्धानि सर्वाणि । मासाविति कालाव्यनोरिति द्वितीया । तिष्ठन्निति कव्यीतिष्ठन् खुरोहिथतं मि. पू. २७८ रजः पिबेदित्यर्थः । भित्याद्यनाश्रित्योपवेशनं वीरासनं ।

"अत्थितस्तु दिवा तिष्ठे द्वपविष्टस्तथा निशि । एतद्वीरासनं नामे"त्यन्ये । अभिशस्तां रंबद्धां चौरादिभिरित्यर्थः । तत्कृतमयेः पालितामित्यर्थः । 'सर्वप्राणेरिति' अपानाद्याशयेनोक्तिः । मारुते भृशं वाति गच्छिति सिति । शिक्तितः गोस्राणं अकृत्वा आत्मनस्राणं न कुर्वीत । अविद्यमाने । तद्दानापर्याप्तधने ऋषभैकादशगवीदानासामर्थ्ये इति यावत् । अत्राहारांतरानिभ- धानात्कंदमूलादिना वर्तनमर्थासिद्धम् । 'अनेकविधिने'त्यनेन पूर्वोक्तद्वैमासिकेतिकर्तव्यतातिदेशात् । 'चतुर्थकालमश्रीयादक्षारलवणं मिताभि'त्युक्तरीत्या शरीरयात्रा कर्तव्यति केचित् ।

१५ गोमतीविद्या च यमेन दर्शिता

"गोमतीं कीर्तियिष्यामि सर्वपापप्रणाशिनीं। तां च मे गदतो विप्राः शृगुध्वं सुसमाहिताः॥ "गावः सुरभयो नित्यं गावो गुगगुलगंधिका। गावः प्रतिष्ठा भूतानां गावः स्वस्त्ययनं महत्॥

"अन्नमेव परं गावो देवानां हविरुत्तमम् । पावनं सर्वभूतानां रक्षांति च न हंति च ॥

" हविषा मंत्रपूर्तेन तर्पयंत्यमरान् दिवि । ऋषीणामग्निहोत्रेषु गावो होमप्रयोजकाः ॥

२० " सर्वेषामेव भूतानां गाव: शरिणमुत्तमम् । गावः परं पवित्रं च गावो मंगलमुत्तमम् ॥ "गाव: स्वर्गस्य सोपानं गावो बन्या: सनाननाः ।

"नमो गोभ्यः श्रीमतीभ्यः सौरभयीभ्य एव च । नमो ब्रह्मसुताभ्यश्च पवित्राभ्यो नमोः नमः ॥ "ब्राह्मणाश्चैव गावश्च कुलमेकं द्विधा कृतम् । एकत्र मंत्रास्तिष्ठंति हविरेकत्र तिष्ठतीति"॥ अत्र स्नानांगभूतमंत्रपठनं संध्यावंदनं च कार्यम् ।

- २५ अत्र हिंगमाहाऽतीति । न्यूनतां परिहरति । यदा त्विति । अस्यान्यत्रोक्तत्वादाहेति न्यायेनेति । विरोधं परिहरति । यान्विति । एमममे सर्वत्र । वृषगते हताविति । वृषवाते वृषस्री-गवीघाते वेहतमिति स्मृतिमंजर्याम् । गर्भोपघातिन्नी गौर्वेहत् । पक्षांतरमाहाऽथवेति । अथवा प्राप्तसततं पुनः पुनरनुगच्छेदित्यर्थः । मुरितिपाठः । मौनीति पाठांतरम् । दिभिः उपलक्षितः । उद्क्या रजस्वला ।
- नित्र तयोर्मध्ये । कर्मागिति यत् दुग्धस्य कर्मण्येवोपयोगस्तामित्यर्थः । अत्र ितंगमाह । गिर्भिणीमिति । कपिठाठक्षण मूल्याध्यायिववृत्तौ स्पष्टम् । सुन्नतां पवित्राहाराम् । प्रकृतसाधकमं प्याहाऽत एवेति । ईदृग्विधमेव उक्तसदृशमेव । अन्यथा प्रायश्चितस्य गुरुत्वात्तदृशेऽसंगितिः स्पष्टैव । अनुक्तत्वादाहाऽभीति । श्रूणशब्देनाऽत्र बाह्मण इत्याऽऽह । ब्रह्मिति । वृषम् मि. पृ. २७९. एको यासां तासां शतसंख्याकगवीनां दानेत्यर्थः । प्राकृतं प्रागुकं प्राग्वदाहाऽभीति ।

ननु तत्रापि कामस्येव प्रक्रमान्नेदं युक्तमत आह । यद्वेति । एवं साति न्यूनतां परिहरित । ताद्विगिति । अशस्त्रे इति छेदः । ताद्विने काष्ठादौ । लोष्टं मृद्गोलकम् । ततः सांतपनायनंतरे प्रायश्चित्तं उक्तप्रायश्चित्तविशेषे कृते सति । अत एवाह । पूर्वकत्वेति । तत्क्षेत्रविपरीतं मद्नोक्त-मपास्तम् । तथा तद्वततद्र्थमिति व्याचष्टे । नीरोगादीति । द्विपादः द्वित्वयुक्तः पादः । एवमभे-ऽपि । पराशरमाधवे तु

''गोवधस्यानुरूपेण प्राजापत्यं विनिर्दिशेत् । प्राजापत्यं ततः कुछं विभजेत्तचतुर्विधिम"त्यत्र एकमक्तादिरूपं प्राजापत्यवतं गोवधस्य प्रायश्चित्तम् । तच्च वतं तत्प्रमाणप्रकारेण चतुर्विधम् 🛊 प्रकाहायनस्य गोवधे एकाहं एकमकाशीति व्यवस्था । ब्रहायनस्य वधे दिनद्वयामीते कल्पः । त्रिहायनवधे त्रिदिनं चैकेति तृतीयः कल्पः। उपरितनवयस्कस्य वधे च चतुरहं त्वेकमकाशी चतरहं नक्तभोजनः । चतुरहमयाची स्याचतुर्दिनमभोजनमिति चतुर्थः कल्प-इति-गोवधतार- १० तम्येन श्लोकचतुष्टयस्य व्यवस्था कृता । एवमग्रेऽपि । उत्पन्नमात्रे गर्भग्रहणमात्रे यद्वतमुद्धिः तस्य तुर्यीशः पादा यत्र यदुपदिष्टं ततो द्विगुणं विशेषमाह । बहुकेति । अस्यार्थमाह । याद्यक्-विधेति । न्यूनतां परिहरति । एका चेदिति । बहूनामितिङीप्यभावे प्रयोगः । यथासंख्यमाह । पादृद्धयमिति । कृतस्त्रवतेति । संपूर्णवते इत्यर्थः । तत्र दृष्टांतमाह । सत्रिणामिवेति । लिंगस आह । एकमिति । विशेषांतरमाह । यदा त्विति । बहव इति प्राग्वत् । व्यापसानामिति शेषे १५ षष्ठी। रोधने वंधनेऽपि का । बव्हीषु मृतासु सतीत्यर्थः । रोघोऽत्र रात्रौ रक्षार्थं क्रियमाणरोघान्न्याहार-प्रचारानिर्गमरीधः । बंधनं चादढकुशकाशादिरज्जुमिन्नेनायथावंधनप्रकालबंधनम् । इदमेवोद्वंधनम् । योजनं हरुशकटादावतिवाहादिना । अस्यार्थमाह । बहुष्वपीति । 'व्यापादितास्विति' पाठः । 'द्वितीयपादार्थमाह । तथेति । 'एकस्या अपीति' पाठः । अन्यशा पृथगुक्तिव्यर्थैव स्यादिति भावः अन्यदाह भिषागिति । अतिरिक्तं अधिकम् । विरोधं परिहरति । यत्रेति । तेनैव आपस्तं- २० वेनैव । इतरस्पद्दमुक्तार्थाप्रतीतेराह । एतदिति । एतत्सूचितमाह । ये त्विति । उपसंहरति । तत्र चेति । तयोर्भेदे च सतीत्यर्थः । अत्र समत्यंतरमाह । योक्त्रं नासिकाछेदः । बहु-वबनात् रोधनमपि अकामक्वतेति बहुवीरिहः । ततः प्रायश्चित्तश्रवणानंतरं ।

अविरोधाय व्यवस्थामाह । अयं चेति । योजने रथादौ । निपातने नितरां पातने । मारणे इति यावत् । त्रैमासिकपादस्यैवार्थमाह । किंचिदिति । अन्यद्प्याह । आपस्तंबेना- १५ प्राप्तिविशेषमाहाऽभक्षणेति । ठक्षो ठक्षणं रोधेति सायमित्यनेनाऽन्वयेति । अंकनठक्षणयोरन्यत्र अभेदस्य स्पष्टत्वादाह । अंकनिमिति । सप्तेति सयस्यकाशकामित्यर्थः । आतिवाहने दोषा-दितिशास्रोक्तिति प्राणे संभवादिति भावः । मौंजन मुंजविकारेण रज्जुना वधत्वधर्मरज्जुः । विवर्जित इति सप्तम्यंत तथा तद्दलंघाते जनायाकीणें । मृते मरणे । अन्यद्प्याह । पाळेति । किचिदित्यस्यैवार्थाऽयम् । तेनैव व्यासेनैव । जलौघेति समाहारदंदः । पत्वळं अल्पसरः । ३० पंजलैघयंकिछे" इति पाठांतरं । श्वभ्रं गर्तः शुक्कः । उद्धंधनं दढवंधनं । शून्यागारे मि. ५. २०१ वृद्धाया इति शेषः । पूर्वोक्तमाह । अपाळेति । उपप्रवो मरणम् । तथा तद्दत् । विमोचने इत्युपयान्वयी । प्रवेशनं गुद्मध्ये । तथा तद्दत् । स्नेहं घृतादि । ददत् द्दाति । तथा तद्दत् । संमत्यंतरमप्याह । अत्रेति शरीघेणेति । पूर्वाश्वपाकपरवातकन्यागर्तः । ददाति । तथा तद्दत् । संमत्यंतरमप्याह । अत्रेति शरीघेणेति । पूर्वाश्वपाकपरवातकन्यागर्तः ।

प्रायश्चित्त-याज्ञवल्कीये

व्यवस्थामाह । इदं त्विति । इतरत्र बद्धमरणे । विशेषांतरमाह । तथोते । विरोधं परिहरति । यन्विति । आदिना दिष्णृते । वर्तनं पानं । सर्वत्र विशेषमाह । इदं चेति । प्रागुकं सर्वे चेत्यर्थः । प्रमापणे मारणे । राज्ञे तत्समद्रव्यदानदंडं द्यादित्यर्थः । सर्वत्र विशेषांतरमाह । एतचेति । जातं समूहः । अत्र विरोधं परिहरति । यन्विति । आदिना महापातकमपि । अत एव पूर्वविरोधो न । तथा तद्वत् । चेनानुमाहकादीनां पादोनादिसमुच्चयः । अंगुलद्वयं अग्रे मूले वेत्यन्यत्र स्पष्टम् । तीर्थादावप्येवमित्याह । सर्वत्रैचेति । हि यतः । उक्तः वपनविषये । पादे इत्यादि विषयसप्तमी । तद्भिगेतस्यार्थमाह । पादेति । अपिना तत्समुच्चयः। एवमगेऽपि । विधवायास्त मुंडनमस्येव । उपसंहरति । एविमाति । ॥ २६३ ॥ २६४ ॥

इति गोवधं प्रायश्चित्तप्रकरणम्।

याज्ञवल्कीये २६५ श्लोकः।

मि. पृ. २८२ अधुना तद्नन्तरम् । अन्येषाम् । त्रात्यत्वादीनाम् । एवमग्रे ।

उक्तेनेति आदिना प्रागुक्तं त्रितयम् । पराकेऽपि माससविधो बोध्यः । उपदेशाकरण-फ्लमाह । अत्रेति । बात्यतादावित्यर्थः । तेषां व्यवस्थायाः प्रागुक्तत्वाज्ञद्नयतममादायैतस्यव-स्थामाह । तच्च व्रतेति । अवेत्यत्राक्षराधिक्यमार्षम् । एतदेवेत्तस्यार्थस्त्रेमासिकामिति । **१५ सामान्योक्तेराहाऽत एवेति ।** अस्मादेव मनुवचनादित्यर्थः । अवकीर्णी स्विलितब्रह्मचर्यः । बाधिति । पक्षे इति भावः । उक्तेति बहुवीहिः । उपपातकविशेषाणां गणपाठः । तन्मध्यपाठः । परमतं खंडयति । यदीति । परं केवलम् । अन्यत्र समृत्यन्तरे । एवमग्रेऽपि । ऋचोशतम् । ' सिद्धांतमाहाऽत इति । अंतस्यान्वयः सहेत्यस्य । विकल्पादावन्त्रयः । यथासंख्येन साम्ये आह । विकेति । वैषम्ये आह । विषेति । उपनयनोचितकाले तदभाव वा चान्यः । उद्दालक-२ • वतस्वरूपमेव दर्शयति । द्वौ मासावित्यादिना । १२३ दिनात्मके मानवं गोवधप्रकरणोक्तं । तत्रैव अनापद्येव उपयुक्तं तमाह । यस्येत्यादिनेतीत्यंतेन । इत्यं हि सः (१।२।२८-२।१०)"अति कान्ते साविज्याः कालक्तुंत्रेविचकं ब्रह्मचर्यं चरेदथोपनयनं ततः संवत्सरमुदकोपस्पर्शनमयाध्यायः। अथ यस्य पिता पितामहश्च इत्यनुपनीतौ स्यातां ते ब्रह्महासंस्तुतास्तेषां गमनं भोजनं विवाह-मिति वर्जयेत् तेषाभिच्छतामिदं प्रायिश्वतं यथा प्रथमेतिकमः संग्रेतव संवत्सर अथोपनयनं तत २५ उदकोपस्पर्शनं । प्रतिपुरुषं संख्याय संवत्सरान्यावंतोऽनुपनीताः स्युः सप्तभिः पावमानाभि-यदंति यच दूरक इत्येताभिर्यज्ञपवित्रेण सामपवित्रेणांगिरसेनेत्यपि वा व्याहृतिभिरेव वा यस्य प्रितामहादीनां न स्मर्यत उपनयनं ते इमशानसंस्तुतास्तेषामभ्या-गमनं भोजनं विवाहमिति वर्जयति । तेषामिच्छतां प्रायश्चित्तं द्वादशवर्षाणि त्रैवियकं ब्रह्मचर्य ₃ चरेद्यो(प)नयनं तत उद्कोपस्पर्शनं पावमान्यादिभिरथ गृहमेध्योपदेशनं नाध्यायनं ततो यो निवर्तेत तस्य संस्कारो यथा प्रथमेऽतिक्रमे तत उर्द्धं प्रक्वतिवदिति" । **ज्ययमर्थः ।** विप्रादीनां षोडश-दाविंशति-चतुावशतिवर्षात्मके साविञ्यापनयनस्य काले अतिकांता ऋतुमासदृषं यावत्त्रीवियकबहाचर्ये वेदत्रयं संबंधि भैक्ष्याशनगुरुखुश्रूषणादिकं चरेत् । वेदन्त्रपार्थमृतुन्त्रयं

ब्रह्मचर्य चरेदित्यर्थः । अथ ऋतुत्रयं ब्रह्मचर्यानंतरमुपनयनं कार्यम् । तत्र उपनयनानंतरं संवत्सरं याबदुदकोपस्पर्शनं प्रत्यहं प्रायश्चित्तरूपस्नानं कुर्यात् । अथाध्यापनीयः । एतदुद्वालकवताशकस्य यस्य ब्रात्यस्य पितापितामहावप्युपनयनरहितौ स्यातां ते त्रयोऽपि ब्रह्मसंस्तुतः । ब्रह्मशब्दवाच्याः । तेषां गमनं तान्प्रति स्वकायार्थे गमनं तत्संबंधि भोजनादि च वर्जयंते । तेषां शुद्धिमिच्छतामिद बक्ष्यमाणप्रायश्चित्तं । अंतोः स्थाने संवत्सरः । ततश्च प्रतिपुरुषं वत्सरत्रितयं ब्रह्मचर्यं कार्यम् । 🥞 अथोपनयनम् । ततो यावंतोऽनुपनीताः पुरुषाः तावत्संख्यस्य यदि द्वावनुपनीतौ तर्हि द्वौ संवत्तरौ यदि इयनुपनीतंस्त्रीन् संवत्तरानिति प्रत्यहं स्नानं कुर्यात्केचन संवत्तरमुद्कोपस्पर्शन-मिति व्याचक्षते । तत्र मंत्राः यदंति यच दूरके भवं विदंति मामिहेत्येताभिः सदाभिः पाव-मानीभिः ऋग्मिमीर्जनमघमर्षणं च यथाशक्ति कुर्यात् । ये हविषाः पवित्रेणेति यज्ञपवित्रां कया नश्चित्रा आभुवदिति सामपावित्रा हंसः शुचिषदित्यंगिरसञ्याहृतया वा स्नानमंत्राः। भवति प्राय- 👀 श्चित्तमिति मंत्रा अध्याप्याः । एवं क्रतप्रायश्चित्तस्वध्याप्यः । यस्य प्रपितामहादेरुपनयंनं नास्ति तथार्वाचामपि पुरुषाणामुपनयनाभावः ते सर्वे इमशानशब्दवाच्या अशुचय इत्यर्थः । तेषां गतेष्वभ्यपस्थानं भोजनादि चापद्यपि न कुर्यात् । तेषां स्वयमेव शुद्धिमिच्छतां प्रायश्वितं द्वादश-वर्षाणीत्यादि स्पष्टार्थम् । उद्कोपस्पर्शनमपि पुरुषसंख्यावत्सरानभिव्याप्य संवत्सरं चोद्कस्पर्शनं । तत्र मंत्राः पूर्वोक्ता एक । ततोऽध्यापनं नास्ति किंतु गृहस्थाश्रमस्वीकारः । तत उपदिष्टगार्हस्था 📲 सुरुषात्संततिम् । तस्मादुत्पन्नस्योपनयनसंस्कारः प्रथमातिकमे यथा अतिकांते साविज्याः कालो ऋतुत्रैविद्यकेबह्मचर्य अतितद्वद्भवंति तत्र ऊर्व्हे प्रकृतिवत् तत उत्पन्नस्याऽनतिक्रांतसावित्रीकालो-पनयनवादिति । ब्रह्मचर्यम् भैक्षाशनगुरुशुश्रादिरूपम् । अत्र विगस्वामिकस्वर्णतत्समभिन्नभेवास्तेयं च

मि. पृ. २८३, तद्विषयमा अनुक्तत्वादाह ।क्षत्रीति। अपहर्तुस्तस्य यथाक्रमं पादोनमर्द्धे पादश्चे-तीत्यर्थः । तदेव तत्र हेतुमाहाऽद्येति । व्याख्यातामिदं व्यवहारे । हेत्वंतरमाह । तथेति । २० तद्वदित्यर्थः । तदेव विशद्यति । अत इति । एवमिति । वैश्यादावित्यर्थः । धान्ये इति । विषयसप्तमी । भाग इति ।

• "अष्टमुष्टि भवेत्किं चित्किं चित्के न पुष्कलम् । पुष्कलानि च चत्वारि आढकः परिकीर्तितः ॥ "आढकानि च चत्वारि द्रोण इत्यभिषीयते । षड्भिद्रोणैभैवेत् वार्रा कुंभोऽपि द्रोणिवेंशतिरि"त्यन्ये पंचदशांशितिपादोनसप्तदशपणेत्यर्थः । विशेषमाह । तथेति । क्षत्रेति समाहारद्वंदः । तेन १५ जलस्य च तंत्रत्वेदं जलादाव्यतिप्रसंगाहि तत्र त्वन्युनताऽत आद्यमभिष्रत्याह । साधिति । ननु मूलत एवं चांद्रमास्येदं व्यर्थे अवमृत्यानुवादत्वे तु न चमुक्तपूर्वमंत आह । चांदेति । तत्र बीजमाह । ताविविति । साधिशतसदाकुष्णत्यर्थः । कुछुसहितमितकुछुमिति मध्यमपदलोपे समासः । अथ तयापदतगस्यापि यदा लक्षणा तेन रुपव्यपीति जलिक्शेषणं दारादिजलिरासायं तेन सजलवापीकूपापहारे प्रायश्चितद्वयमित्यपराकाल एकोक्रमण एतेत इत्यव्यपीति । अन्यद्प्याह । ३० तथेति । ताक्विवित्य अपादनद्वय एव च दत्वा । प्राग्वदाह । अनेनेति । अल्पसारेत्यस्य व्याख्या अस्य प्रति ।

प्राप्तवाह । इदं चेति । अर्द्धं वृतीयं यस्मिन्नित्यर्थः । तस्य सांतपनस्य । व्यवस्थामाह । पक्तवारेति । न्यूनतां परिहराति । यानावृति । उपसंहरति । सर्वत्रेति । प्रमनदाह । यस 14

चेति । प्राग्वदाह । अत्रापिति । रज्वा चैवेति पाठः । प्राग्वदाह । अत्रापीति । प्राग्वदाह । जियमाणोति । विशेषमाह । इदं चेति । सित स्वामिनीति भावः । तथा विनिगमनाविरहादाह । तथिति । क्रांगत्वेन संस्तुतं यज्ञादेरित्यर्थः । अहोऽपिवेति वार्तिकमे चांद्रमासातिकमे त्वहः श्रौतस्मार्ताक्रयाधानाभावे इदं गृहीतत्वनास्तिकयादिना त्यागे धर्मदिवृत्पादिषु विशेष उक्तः । भ तथा च व्याघ्रपादः

''मासद्वयं तु यो विह्नं त्यजेदेव समाचरेत्। नास्तिक्यात्क्वछ्रमेकं तु होमद्रव्यं ददाति च॥" तथा

''योऽभ्रिं त्यजिति नास्तिक्यात्प्राजापत्यं चरेत् द्विजः । अन्यत्र पुनराधानमुपिद्षष्टं मनीषिभिः ॥'' चतुर्मासत्यागे त्वतिकृछ्रः । तथा च स एव

"चतुष्टये तु संपूर्णे मासानां तु हुताशनम् । त्यक्तातिकृछ्रं कुर्वीत ततः पापात्स मुच्यते ॥" षण्मासपर्यंतं पराकः अत ऊर्ध्वमब्दपर्यंतं पयोवतम् । यथाहोशनाः

"षण्मासांस्त्यजते यो वै पराकं स समाचरेत् । ऊर्ध्व पयोवतं कुर्यान्मासमेकं समाहितः ॥ "वर्षपर्यंतमेव(हुर्मुनयः शंसितवताः ।" संवत्सरादृर्ध्वं तु स्कंद्पुराणे

"ऊर्ध्व भंवत्यसद्भिं यस्यजेत्स पयोवतम् । द्वैमासिंकं ततः कुर्यात्त्रैमासिकमथापि वेति ॥" कालात्यस्वमहत्वापेक्षया विकल्पः । प्रमादान्मासमग्निपरित्यागे कूर्मपुराणे

"षर्दि रात्रिं त्यजेद्ग्निं प्रमादाच्छ्रुणु मे प्रभो । उपवासं तथा कुर्यात्प्राजापत्यमथापि वा॥"

तथेत्यनेन तत्र प्रकृतं त्रिरात्रं परामृश्यते । मासद्वयपित्यागे त्रिरात्रम् । अत ऊर्ध्वं संव-स्सरपर्यतं प्राजापत्यम् अत ऊर्ध्वं कालबहुत्वे प्रायश्चित्तबहुत्वम् । तथा च भारद्वाजगृद्यम् । , "प्राणायामशतमात्रिरात्रादुपवासः स्यादाविंशतिरात्रादत ऊर्ध्वं माषषष्टिरात्रात्तिस्रो रात्रीरूप-वसेत् । अत ऊर्ध्वं मासं वत्सरात् प्राजापत्यं चरेत् । ऊर्ध्वं कालबहुत्वं दोषबहुत्वमिति" । उपवासश्च त्रिंशदात्रादित्यपि पाटः । आलस्येन परित्यागे स्मृत्यंतरे

"आल्रस्येन यदा विह्नं द्वादशाहं त्यजेत् प्रभो। त्रिग्नात्रमुपवासं च चरेत् पापितमुक्तये॥" भारद्वाजगृह्यम् "द्वादशातिकमे व्यहमुपवसेत्। मासातिकमे द्वादशाहमुपवासः। संवत्सराति-क्रमे मासोपवासः पयो भक्षणं वा । कूष्मांडीभिहींमः क्रमेणोभयं भवति उपवासासमर्थस्य मासं १५ पयो भक्षणम् संवत्सरानंतरमधिककालातिकमे उभयं"। एतच्च गृह्याग्निविषयम्। हारीतः "संवत्सरो-त्सन्ने अग्निहोत्रे चांद्रायणं कृत्वा पुनराद्ध्यात् । द्विवृषोत्सन्ने चांद्रायणं सोमायनं च कुर्यात् । त्रिवृषोत्सन्ने संवत्सरं क्रच्ल्रमभ्यस्य पुनराद्ध्यादिति"। शंखः "अग्रज्ञत्साही संवत्सरं प्राजापत्यं चरेत् गां च दद्यादिति"। एतद्कामताश्रीताम्रज्ञत्सादे । कामतश्च ममूक्तम (११।४१)

"अग्निहोञ्यपविध्याग्नीन् ब्राह्मणः कामकारतः । चांद्रायणं चरेन्मासं वीरहत्यासमं हि तत्॥" э • मासमग्नीनपविध्येत्यन्वयः । केचनालस्यादिना मासपरित्यागे प्रथममासे कुळूत्रयं । ततो माससंख्यया कुळूसंख्योति । एवमादयो गुरुलघुकल्पाः शक्त्याद्यपेक्षया व्यवस्थापनीयाः । एवं प्रायश्चित्तानंतरं प्राप्तकाले पुनराधानं कुत्वा नित्यकर्मं कुर्यात् प्रायश्चित्तं च होमद्रव्यं दत्वा । तथा च भारद्वाजगृद्धो " यावत् काळमहोमी स्यात् तावत् द्रव्यमशेषतः । तद्दानं चैव विप्रेभ्यो यथा होमस्तथैव चेति॥"

विशेषं वकुमाह । अपेति । सर्वथा तदसंभवे आह । प्रायश्चीति । क्छानां विहितानां अत्रोधमर्णऋणादने कालविलंबादिप्रयुक्तमेतत्प्रायश्चित्तमुत्तमर्णाय तद्धनं दृत्वैव कार्यं सित धने । अनितप्रसंगायाह अधीति। एतद्वेषमूलोक्तमेव। विशेषमाह अवीगिति । विशेषांतरमाह अनिति । तिन्निष्क्रयाय त्विति पोठः । तिन्निष्क्रयन्त्रितीति पाठांतरम् । अकरणे चेति । तथा चांद्रायणेषु च पत्तमुक्तुः उद्पानं कूपसमीपं जलाशयद्शाधिकसहस्रं । ब्रह्मचर्यायकरणमपि देवऋणं बोध्यम् । विक्रये चेति उक्तं। जपन् गायत्रीमिति शेषः । मानं प्रस्थादि । उन्मानं तुलादि । हीनं चोभयत्र संकीर्णमयमिश्रितान्यवस्तुप्रायश्चित्तमित्यर्थः । उपसंहरति एवमिति । अत्र सर्वत्र दंढं पर्यालोच्य प्रायश्चित्ताधिक्यं कल्यम् । इदं च प्रायश्चित्तजातं तिद्विश्वयार्जितधनोत्सर्गपूर्वं कार्यं । अनापदि दत्वा पूर्वगृहीता कन्या तत्संतोषार्थमिति भावः । निर्विशेत । तद्नुज्ञया गृह्णीयात् । तद्वाह । १० तां चैवेति ।

विरोधं परिहरति । यत्विति। अभिविष्टे अविवाहिते । विरोधांतरं परिहरति । यद्पीति । मि. प्. २८५ विशेषमाह । यदेति । विरोधं परिहरति । पूर्वोक्ताविति । मनुनेति भावः । कृत्याविति । अत्र चिरक्षिप्रादिभेदेन व्यवस्था द्रष्टव्या । अतिदिशति । एतच्चेति । अनाहिताभौ ज्येष्ठे आधाता किनष्टः पर्याधाता ज्येष्ठः पर्यहितः । अत प्य तत्तुल्यत्वादेव तमेवाहाग्रे इति । १५ ऐतनान्यथा पाठो निरस्तः । तत्र तयोर्भध्ये प्राजेति तां परित्यज्येत्यादिः । तां चैवेत्यस्याभे पाठाभावः । देहिन्यामिति एतेनान्यथा व्याख्यानं स्मृत्यर्थसारोक्तमपास्तम् । पूर्ववदत्र निवेदनानुपयोगाच । इदमपि अकामतः । कामतस्तु गौतमीयम् । अत्रानुक्तस्थले प्रौढकन्याया अर्धप्रौढायाः पाद इति कल्प्यः । यत्र तु सोदरकनिष्ठभात्रा सोदरज्येष्ठकन्यादावृद्धा ततो ज्येष्ठभात्रा किनष्टा यद्दा ज्येष्ठभात्रादौ किनष्टा ततः किष्ठन ज्येष्ठा तत्र परित्याग एवं परिवित्ति- २० परिवेत्रदात्याजकानां द्वाद्वरात्त्रं सक्तुपाशनं बाह्मणतर्पणं च तां पुनर्भुवितित्याचक्षते न भूयश्चे-नामिगच्छेदिति सुमंतोः। नाभिगच्छेन्न प्राप्नुयात्परित्यजेदिति यावत्। यत्तु ज्येष्ठः स्वोलं किनिष्ठाप द्वात् किनिष्ठाय एवमभेविधिष्वादिष्वप्युत्कमिववाहेन तत्संस्कारस्याऽनिष्यन्नत्वा-विति तन्न । अत्यंतलोकविद्विष्ठत्वात् । दत्तकादौ तु नायं दोषः ।

"भिन्नोदरे च दत्ते च पितृन्यतनये तथा । दाराग्निहोत्रसंयोगे न दोषः परिवेदना॥" इति ३५ गौतमात् । भिन्नोदरः सापत्नः । जनककुछे ज्येष्ठभातृसत्वेऽपि न दत्तकस्य तत्र परिवेन्नत्वेनिपि तस्य परिवित्तित्वम् । पितृन्यतनयः देवरजन्यक्षेत्रजः । तथा च तिद्ववाहे देवरपुत्रस्य तिद्ववाहे तस्य च दोषः । यथाश्रुतं तु न युक्तम् । परिगृहीतस्य दत्तपदेनैव संग्रहादन्यस्य निषेषेन प्रतिप्रसवान्मावात् । इदमिष शुद्धदत्तके । ब्यामुण्यायणे तु तत्रापि दोष एवेति बोध्यम् । एवं क्वीबकुब्ज-पितिविरक्तसंन्यस्तातिरोगिजडमूकगद्भदविष । कथंवामनपादद्वयहीनातिवृद्धतस्करविवाहानिच्छु-शुद्धतुल्यमृतमार्याणां परिवेदने न दोषः । एवं वेश्याधनकुष्याऽऽसक्त्या विवाहानिच्छुपरिवेदनेऽपि । तथा च नात्यायमः

"देशान्तरस्थक्कीबैकवृषणं च सहोदरान् । वैश्यानिष्ठांश्च पतितश्चद्रतुल्या निरोगिणः ॥

"जडमूकांन्धबधिरकुञ्जवामनषंढकान् । अतिवृद्धानभार्याश्च कृषिसक्तान्नृपस्य च ॥
"धनवृद्धिप्रसक्तांश्च कामतोकारिणस्तथा । कृटिलोन्मत्तचौरांश्च परिविदंत्न दुष्यतीति ॥"
धनम्ममिविद्यार्थं देशांतरस्थे द्वादशवर्षाणि प्रतीक्षां कुर्यात् । तीर्थं तत्स्थे दश । तथा तद्वत्मृतकेति
पणपूर्वाध्यापकादध्ययनग्रहणं मृतकाध्ययनम् पणपूर्वावाध्यापनं च मृतकाध्ययनं तृतीयपादार्थअ माहोत्कर्षेति । अनुयागप्रदानांशे संमतिमाहाऽत एवेति । पातित्यं र्वभ्यासविषयं बोध्यं ।
प्राग्वदाहाऽत्रापीति ।

तथा तद्वत्। एवमग्रेऽपि। उक्तम्। गुरुतल्पप्रकरणे। अन्यत्रापि गुरुदाराभिन्नेऽपि। कारे तद्विषये। अयमेव वचनांतोऽपि। श्रोत्रियस्यतेतितः। "द्वयलाभे चोत्सर्गा यथास्थानं वा गमयोदि"त्यस्य शेषः (२२।३१।३२)। ताभिर्यदि दत्तं द्वव्यं तदा त्वाज्यं यदीपद्वव्यं यवा-१ प्रापनीयमित्यर्थः।

वश्यमाणशंखानुरोधेनाह । यद्वेति । न्यूनतां परिहरति । एताद्दिति । एवमग्रेऽपि । आतेदेशल्ब्यमाह । पण्मासीति । ब्रह्मचर्यं द्वाद्शवार्षिकवतं । विरोधं परिहरति । यत्विति ।
एवमग्रेऽपि । सर्वे द्वाद्शवार्षिकं । अनन्येति । विशेषोक्तिफलमाहाऽनन्वेति । एकस्यां नार्यास ।
अभ्यासे द्वितीयवारादिगमने । नेदं अनन्यपूर्विकाभ्यास इव न प्रत्यभ्यासं पाद्पादाधिक्यरूपम् ।
१५ ब्राह्मण्याः अव्यभिचारिण्याः । एतच ब्राह्मणस्येति स्चयन्नाह । क्षत्रियेति । कामत इति
भि. पृ. २८६ भावः । मासस्य कामविषयत्वादाहाकामेति । क्षत्रादीनामपि शूद्धागमने
उक्तमासार्द्धमेव । अभेक्षा अबुद्धिः । निवृत्तेति दृष्टाचारस्येत्यर्थः । संवर्त्तानुरोधेन पक्षांतरमाह ।
द्विजातीति । व्यभीति पूर्वान्विय । किंचित् अष्टमुष्टि । पक्षांतरमाह । दिवेति । विशेषमोहेदं
चेति । वृष्वि शूद्धा । तत्राभिजातो जनितापत्यः । वध प्रवेति । कामत इति भावः । सर्वत्रानुक२० त्वादाह । पत्नासामिति । इदमुभयत्र बीध्यं । दृष्टव्यम् अकामतः । अथ स्त्रीणामाह । स्त्रीणामपीति । तदेव संपूर्ण । अत्र प्रायश्चित्तार्धमित्यस्याप्रवृत्तिः ।

"यत्पुंसः परदारेषु समानेषु व्रतं स्मृतं । व्यभिचाराञ्च भर्तुस्त्री तदशेषं समाचरेदिति॥ "बृह-स्पतेः । तथा च तत्स्रीपुंससाधारणवतोपदेशविषयम् । समानेषु सवर्णेषु । इद्मृत्कृष्टस्याप्युपळ-क्षणम् । बळात्सवर्णोत्कृष्टोपभुक्तायाः संवर्तोक्तं

"बलात्प्रमध्य भुक्ता चेदं स्वमानेन चेतसा। प्राजापत्येन शुद्धिः स्यात्तत्त्याः पावनं परमा।" अत्राशकौ कृष्यश्रंगोक्तं "बलेन कामितासवर्णेन कथं च न प्रायश्चित्तं त्रिरात्रं स्यात्तस्याः शुद्धचर्थमादिशेदिति"। परं केवलम् । महापयपदार्थमाह् । एजेति । योषिदिति पाठांतरम् । पाइग्वेति पादन्यूनमित्यर्थः । विशेषमाह । यदा त्विति । एवमग्रेऽपि । प्रायश्चित्ताभावः पाप। मि. पृ. २८८. गुरुत्वात् । आक्रम्य बलात् । इच्छापूर्वं चेयत्र यद्धकं तत्र तत् द्विगुणम् । तत्रेव ऋष्यशृंगेणैव । वा चार्थे । गते निर्गते । विधि यथाविधि । वधोऽत्र नासिकादिकर्तन। मि. पृ. २८९. मित्यपरार्के । विशेषानुक्तेराह । वार्धुष्येति । ॥२६५॥

याज्ञवल्कीये २६६।२६७ श्लोकौ।

मूलसंगतिमाह । लवणेति । तदर्थमाहाऽचिरेति । अष्टमासासाधैवर्षपोढशो नवमासाः पूर्वञ्चन्यक्षिक्ताः सुचयनाह । वृत्तास्थे दति । ईपादित्यादिः । एवं स्पृताविषः सदाचार-

निरासमाह । वृत्तेति । अविरोधायाह । क्षत्रिये त्विति । शंखमाह पूर्ववादिति । अविरोधाया-मि पृ. २९० हेदं चेति । अत्र विकल्पमाह । स्त्रीश्चदेति । यथाक्रममाह । मात्विति । विरोधं परिहरति । मान्विति । एवं प्रागग्रेऽपि । आदिना च साहसवन्महापातका नामपि संग्रहः ॥ २६६ ॥ २६७ ॥

याज्ञवल्कीये २६८ श्लोकः।

प्रागनुक्तत्वादाह । स्त्रींवधे इति । तद्र्थमाह । स्वैरीति । व्यवस्थामाहेदं चेति । प्रतीति । प्रतिलोमप्रस्तानां स्त्रीणां वधे चतुर्द्धिण्मासा । अंतरप्रभवानां स्तादीनां चतुर्थै-वेत्यर्थः । तद्मिप्रत्याचे व्यवस्था । व्यवस्था । आवृत्या स्त्रवैदेहकचंडालभेदेन षण्मासाद्य इति । विशेषमाह । यदा त्विति । एवमग्रेऽपि । मि. पृ. २९२. वैश्यकर्म हट्टव्यापार । अधारिष्टिनिरासायाह । तस्वेति । वैश्यां तत्कर्मणा १४ जीवंतीम् । अन्यथा पौनस्कर्यं स्पष्टमेव ॥ २६८ ॥

याज्ञवल्कीये २६९ श्लोकः।

विशेष्यत्वादेवाह । यदा त्विति । प्रागुक्त्या पक्षांतरमाह । दश वेति । प्राग्वदाहेदं चेति । सर्वत्र संमतिमाह । यथाहेति । विरोधं परिहराति । यत्विति । अपिना पूर्वसमुच्चयः । (उत्तरार्धः)

मूलसंगृतिमाह । हिंसेति । मेवानुषंमृषभेणाहत्वेत्यादि । किंचिदृष्टमुष्टि । अविरोधायाह । तथेति । मूले ॥ २६९ ॥

याज्ञवल्कीये २७०।२७१ श्लोकौ ।

तत्रान्यत्राप्याह । किंचेति । एवमग्रेऽपि । जल्पत्वेन समुच्चयासंभवेन विकल्पसिद्धेराह । मि. पृ. २९२ वेति । उपस्पर्शः स्नानं । चो द्वयोः समुच्चयः ॥ २७० ॥ २७१ ॥ ३०

याज्ञवल्कीये २७२ श्लोकः।

गुंजापरिमितं सुवर्णम् ॥ २ं७२ ॥

F. . .

याज्ञवल्कीये २७३।२७४ श्लोको ।

समाहारद्वंदादाह । किंचेति । निहमुपह । कुछ्राब्दस्य प्राजापत्ये रूढत्वादाह । कुछ्रेति ।

मि. पृ. २९३ लक्षणबीजमाह । केठोति । मात्रं कार्त्स्ने । उक्तं व्यतिरेकमुखेन द्रढयति । २५

यदीति । न च । न हि । अन्यत्रापि गजशुकभिन्नेऽपि ॥ २७३ ॥ २७४ ॥

याज्ञवल्कीये २७५ श्लोकः।

कोटं द्वारं । सहस्रंवय उक्तत्वादाह । व्यवेति । अनियमादाह । स्वल्पमिति । तब्याच्छे ।

मि. ए. २९२ तत्रेति । षष्ठाः कार्षापणषोडशांशः । आवरोधायाऽऽह । पतस्रेति । किंचित्सास्थातीत्यर्थः । तित्तिरिति पाठे । तित्तिरितोमिन्नोऽयम् । तितिरीतिपाठे पूर्वोक्तम् । कामतोम्यासविषयं । एवं गजापाविष बोध्यम् । विहंगाः उपात्तमिन्ने विज्ञाते पक्षिणः । कृसरं तिलमिश्रोदनम् । लोहदंडः तीक्ष्णमयायः ॥ २७५ ॥

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याज्ञवल्कीये २७६ श्लोकः।

गुल्मा मालत्याद्यः। लता द्राक्षाद्यः। वीरुधो गुङ्कच्याद्यः। ओषध्यः शाल्याद्याः। श्रातमिति इदमकामतो विरहादाह । याम्योति । महाफलप्रदनालिकेरादिवृक्षाणां कामतस्यो-दनात्यंताभ्यासे संवत्सरवतसकलत्वात् गणे जपः । चैत्यो ग्राममध्यवृक्षः । विश्चते प्रख्याते । इत्यस्मिनवृक्षे च इदं चापरिगृहीतविषयं च्छित्वा । परिग्रहे तु दंडाधिक्यद्शितात्प्रायश्चित्ता-पि. १. २९५ धिक्यं बोध्यम् । कामतोऽत्यंताभ्यासचांद्रादिष्वेकप्रतिरोधायाह्रोपेति । पतिविति तत्ववृकदंशनिमत्तकमित्यर्थः ॥ २७६ ॥

याज्ञवल्कीये २७७।२७८ श्लोकौ।

अल्पत्वादाहेषदाति । नाभेरधोभागे आह । ब्रह्मोति । गिति शक्तविषयमपीदं बोध्यम् । १० दानेनाह । दानेन । पक्षांतरमाह । गाछोति दशेति । अतिगाहशेत्यर्थः । दिवादशेआहोदितः मिति । तेनेव अंगिरसेन । अन्यत्रेति व्याचष्टे । अरजस्वेति । आदिना जिह्लादि । मनु मि. पृ. २९६ इति पाठः । तत्र तयोर्मध्ये । तेनेत्यस्यार्थोऽभीति । न च । न हि । तहुक्तं भद्वैः । विधेत्यस्य यत इत्यादिः ॥ २७७ ॥ २७८ ॥

याज्ञवल्कीये २७९ श्लोकः।

१५ किंचेति । मंत्रजयरूपप्रायश्चित्तप्रसंगादान्यत्राप्यन्यमंत्रतपरूपप्रायश्चित्तमाहेत्यर्थः । मयूक्त-(५११४६) द्वितीयाचमनं । निंदितेति शास्त्रीयायाशितादर्थातरेण जीवनमित्यर्थः । विशेषा-भावादाह । तत्र चेति । जीवनं वृत्तिः । चेन परलोको नास्तीत्यंशसमुच्चये । अपिना च नास्तिकवृत्तिर्वेदनिंदनं । जीवीव्यवस्थामाह । एतन्द्रि अविरोधायाह । मि १. २९७ यत्वित्यादि । पंचेति पूर्वार्न्वाय ॥ २७९ ॥

याज्ञवल्कीये २८० श्लोकः।

त्रतेति । स च ब्रह्मचारिणः स्त्रीसंगः । देवताराधनाद्यर्थं गृहीतवतत्यागः शिष्टाप्रतिषिद्धस्य भोजनन्यतिरेकेण न मया जलं पातन्यमित्यादिनियमत्यागः । प्रायश्चित्तार्थं प्रकांत-कृच्छ्रादिवतच्युतिः । वतं संकल्पः । स्नातकवतादित्यस्य मिथ्याकरणत्यागश्चापि स वत-लोपानां मध्ये ।

अविनिगमकत्वादाहोपेति । योगमप्याह । चरमेति । कल्पः प्रकारः । तदाह । पशु-धर्मेति । पशुयागे यथा वपादिहोमस्तथाऽत्रापीत्यर्थः । विशेषमाहैतच्चेत्यादिना । तेन गर्दभेन । पाकेति आश्वलायनादिगृद्धोक्तपशुकल्पतंत्रेण परिसमूहनपर्यक्षणादीतिकर्तन्यतयेत्यर्थः । तस्य तेन रात्रीश्चमायात्मा च तैत्तिरीयकयो ब्रह्मचार्यचिकरेदेसीवास्यायां राज्यामग्रिपरिष्टीकस्या-मि. प. २९८ दित स्वगर्दभस्य चीरं वस्त्रखंडः । यवसंवसम् । द्विजो विष्रः । मंत्रमाह । स्वभे इति । रात्राविति मावः ।

"अचितिश्रष्टा तु या नारी माहादिचिलता ततः । प्राजापत्येन शुध्येह्न **तस्मादे** पापकर्मणः ॥"

इत्यापस्तंबः । भर्तुरनुगमने प्ररोचितिश्रष्टेत्यर्थः । कामत आह । कृच्छ्रेति । खंडने ब्रह्मचर्यसंडने । अवकीर्णिप्रसंगादाह । यदा त्विति । तमाह । संन्यस्येति । प्रत्यनंतरं अनवच्छिन्नं । प्रत्यव-स्तिः सन्यस्तः । अना इकोऽनशनम् । अत्र संवर्तादित्रयस्य तथा शुद्ध्या पुनर्गृहस्थो भवतीत्यत्र तात्पर्य । किंतु तथा शुद्ध्या पुनः संन्यासेन व्यवहार्य इत्यन्यत्र स्पष्टम् । मिक्षादे-रवरोहेण पुनर्गाहस्थ्यकरेणे प्रायश्चित्ताभाव एव ।

''आरूढो नैष्ठिकं धर्म यस्तु प्रच्यवते पुनः । प्रायश्चित्तं न पश्यामि येन शुद्धचेत्स आत्महेति॥" वचनादिति क्रेचित्। उपपातकत्वात् प्रायश्चित्तं भवत्येवेत्यन्ये। सर्वथा त्वव्यवहार्यः बहिस्तूभयथापि स्मृतेराचाराचेति व्यास्तोक्तेः । 'नास्यासिंह्योके प्रत्यापत्तिर्विंग्यते कल्मषं तु निर्हण्यते' इत्याप-स्तंबाच्च (ध. सू. १।२४।२५।२६)।

"नैष्ठिकानां वनस्थानां यतीनां चावकीणिंनां । शुद्धानामपि होकेऽस्मिन्प्रत्यापत्तिर्ने विद्यते॥" इति । १० वचनांतराच । नास्येति । अत्रोज्वहः । अश्वमेषावभृथादिषु संभवत्त्वापि अस्य अस्मिन् जीविते प्रत्यापत्तिः शुद्धिनीस्ति इत्यर्थः । मृतस्य तु कल्मषं निर्हण्यते तेन पुत्रादिभिः संस्कारादि कर्तव्यमिति भावः । अन्ये तु पूर्वसूत्रं तिन्नवृत्त्यर्थे मन्यन्ते प्रत्यापत्तिः पुत्रादिभिः पुत्रादिभावेन संबंध इति ।

तत्र त्रयाणां मध्ये क्षत्रियादेः संन्यासाभावे आहाऽथवोति । मरणोति पामादानामित्यर्थः । ३५ तथा च प्रजापितः । तत्र परमहंसो नाम नदीपुलिने इमशानदेशे तृणहरितशाद्दलेषु शयाने सुसं कुश्चीरक्रौपीनकषायवान्यस्तु प्राणान्परित्यज्ञित स परमहंसो नामिति मरणान्निर्वृत्तानामिति भावः । प्रायो महाप्रस्थानस् । शस्त्रपद्मुपलक्षणित्याहाशास्त्रीयेति । द्रष्टव्यं इति । इदं च शस्त्रादिना आत्मव्यापादनेनमैवं पापक्षेजीवनस्तु (?) तेषामेव बोध्यः । एतच्च तत्तज्जात्युचितप्रायश्चितेन जातिशक्त्यापेक्षया समुचितं बोध्यम् । अविनिगमकत्त्वादाहाथवेति । विति ।

"चितिश्रष्टा तु या नारी मोहादिचलिती ततः । प्राजापत्येन शुध्येतु तस्माद्दे पापकर्मणः॥" इत्यापस्तम्बः । भर्तुर्गमने चितिश्रष्टेत्यर्थः ।

एवं प्रासंगिकं परिसमाप्य प्रकृतमाह । **इदं चेति । तत्र गुरुदारादो विकल्पं** ' निराचष्टे । न चेति । समुचये निराचष्टे । न चात्रोति । आधिक्यं सत्वादाह । सममिति । कुछ्रेति शाकपार्थिवादिः । कचित्सत्वेऽप्याह । नियम इति । उक्तसिद्धांते शंकते तुमित्यादिना । _{२५}

मि. पू. २९९. पुत्रिका प्रागुक्तरुक्षणरुक्षिता । वृत्तिर्जीवनम् । शंकातात्पर्यमाहाऽत इति । समाधत्ते तदसदिति । उक्तं दृढचित् । न चेति । न हीत्यर्थः । पुरस्तात् आचारसिद्धांत-मुपसंहरति । तस्मादिति ॥ २८० ॥

याज्ञवल्कीये २८१ श्लोकः।

अनुपपेति उपपातकिमेन्ने इत्यर्थः । अन्ये त्वयुक्तप्रायिश्वतापेक्षया ब्रह्मचारिण एवेति मावः । "एककालमेकाहो वा त्यागे" हारीतोक्ते "ब्रह्मचारी संध्यामनुष्योपस्थितसाविज्याः सहस्रपुरोदित्यमुपतिष्ठेत । उपक्रम्याग्निकापत्याहुत्वातीतं संपाद्योपस्थितं कुर्यादहन्यतीतो निर्पलवतपतीभ्यामिति"। उपस्थितः कृतस्यापस्थानो वा अग्ने वतपते इति वातपती अतीवव्याभिचार्यदिके उपस्थितः कृमप्राप्तसूर्योपस्थाने वा अहन्यतीते एकदिनात्यजे "पुनर्मनः पुनरायुर्न"

१ एवं मुळे। व्यापादनामिति युज्येत पाठः।

इति मंत्रादि न द्वयादित्यागे । एतदेव दिगुणादिसप्तरात्रे पर्यतं तदनंतरप्रकीर्णिवतं मानससप्तिनि पूर्वान्वयः । अभीति सुप्तोदिते सुप्तास्तमितेत्यर्थः । अग्र्यसमिति एककालयज्ञोपवीतादिनाशं प्रायश्चित्तानि यथासंभवस्यादिरापि बोध्यानि । आचार्याय प्राणानीयम्य देशकालौ स्मृत्वा " मम शौचाचमनसंध्यावंदनदर्भभिक्षाग्निकार्यदारित्यशूदादिस्पर्शनकौपीनकटिस्त्रयज्ञोपवीतमेसलादंडा-

- ५ जिनत्यागदिवास्वापछत्रधारणपुटकाभ्याशेह्याआत्माधारणोद्वर्तनांबुलेपनांजनजलक्रीढायूतवृत्यगीत-वाद्याद्यनिरतिपांखंडादिसंभाषणपर्युषितभोजनादिबद्धचारिवतलोपसंकलदोषपरिहारार्थं श्रीपरमेश्वर-प्रीत्यर्थं कुळ्रत्रयम् अहमाचरिष्यं " तेन श्रीपरमेश्वरः प्रीयताम् । अद्यपूर्वोच्चरित एवंगुण-विशेषणविशिष्टायां पुण्यतिथौ मम शौचाचमनादिबद्धचर्यादिवतलोपंजपकलारिष्टनाशार्थं प्राय-श्चितं करिष्ये । लौकिकाग्निं प्रतिष्ठाप्यान्वाधानं कुर्यात् । अत्र प्रधानं । अग्निं वायुं सूर्यं प्रजापतिं
- ३० अग्निं पृथिवीं महांतं वायुं पृथिवीं महांतं आदित्यं युमहांतं चंद्रमसं नक्षत्राणि दिशो महांतं अग्नदानसं विश्ववेदसं मांविभावतुं प्राप्तं कतुं अग्निं अग्निं वायुं सूर्यं प्रजापितं एताः प्रधान-देवता आज्येन शेषेण स्विष्टकृतिमित्यादि आज्यमागांते कृत्वा व्यस्तसमस्तव्याहृतिमिर्हुत्वा 'ओं भूरप्रये च भुवो वायवे चांतिरक्षाय च । सुवरादित्याय च । भूभृवसुवश्चंद्रमसे च । पाहिनो अग्न एनसे । पाहि नो विश्ववेदसे । यज्ञं पाहि विभावसो । सर्व पाहि शतकतो । पुनरूज्जीनिवर्त्तस्व ।
- १५ सहएयानिवर्त्तस्व । पुनर्व्याह्निमिर्हुत्वा स्विष्टकृतादिहोमशेषं समापयेत् । इति ब्रह्मचारिवतलोप-प्रायश्चित्तं माहानाश्न्यादिवतचतुष्टयलोपजनितसर्वारिष्टनाशार्थं प्रत्येकं कुळ्ळवयं तथा गौदानिकवत-लोपजनितसकलारिष्टनाशार्थं प्रत्येकं कुळ्ळवयं एवं अष्टादशपाजापत्यात्मकं प्रायश्चित्तं यथाप्रत्या-

मि. पृ. ३००. त्माज्यद्वारा आत्मकरिष्ये इति ।

याज्ञबल्कीये २८२ श्लोकः।

किंचेति । अन्यद् प ब्रह्मचारिणस्तदाहेत्यर्भः । मधु माक्षिकं । पौनरुक्तं परिहरित । द्वादशेति । एवमन्यास्वापि उक्तवश्यमाणासु सर्वासु स्मृतिषु बोध्यम् । प्राग्वदाह ! सर्वेषु । मात्रं कात्स्वर्ये । तदिति छशुनादीत्यर्थः । येन "छशुनादि नाहं तथा मक्षयोदिति शेषः । स प्राक्ता । उपपत्तौ कृतौ । "उपनताविति" पाठांतरम् । ब्रह्मचारिण एवाहऽना- दिति ॥ २८२ ॥

याज्ञवल्कीये २८३ श्लोकः ।

उत्तरार्घार्थमाह। इतिश्चित्तांतरेति । उपपातीह प्रायाश्चेत्तः योक्तप्रायश्चित्यस्य: । पृथक् चेति । कुछ्राणि चतीवकुर्यात् । युक्त्यस्तरमप्याह । यद्गिति ॥ २८३ ॥

याज्ञवल्कीये २८४ श्लोकः।

तत्त्वरूपमाह । ब्रह्मेति । शुद्धवतीः । शुद्धपदोगेताः ॥ २८४ ॥

याज्ञवल्कीये २८५ श्लोकः।

मि. पृ. ३०१.

ततः । उपपातकात्कचित्तथा पाठ एव ॥ २८५ ॥

याज्ञवल्कीये २८६ श्लोकः।

ननु कर्यं मनोरमिशस्तविषयत्वमाः । अपांक्त्यानाभावि ॥ २८६ ॥

यानपरकारे २८७१८८ श्लोको ।

किंचेति। प्रसंगादन्यस्यापि तदाहेत्यर्थः। एवमग्रेऽपि। अविनिगमकत्वादाह। ज्येष्ठेति। अपिना तत्रैव रजस्वलायामेव क्षोणीसंगादाह। रजस्वलाग्नीत्यादि। तमाह। रजस्वलेति। मि. ए. ३०३ दिनमेदेन तदेवाह। प्रथम इति। तेनैव बौधायनेनैव। क्षपेदितिकान्वंदन इति मनायाः रजस्वलायाः रजस्वलयोः। रजस्वले तयुक्ता स्त्री कथंचित् स्पष्टयति। स्नावेति। मि. ए. ३०४ मलमूत्रादेरित्यर्थः। संगत्यर्थमाह। प्रविमिति। तत्र प्रकृतानामुपपातकानामः। अवकीर्णिनं वतलोपश्चेत्यनंतरप्रतिश्रयो महादिः उद्यानागमा ये प्राम्यारण्ये च इतो मेदेः। प्रपापनीयशाला । अनापवनेकपुत्रस्याह। कामतस्त्विति। अनापदि कामत इति भावः। कामतोऽनापयनेकपुत्रस्य तद्दिकये चंद्रस्य। आपयोकपुत्रस्य कामतस्तद्दिकये चंद्रस्ये

याज्ञवल्कीये २८९ श्लोकः।

सुतविकयश्च दास्यार्थन् । एवमात्मभार्यविकयोऽपि ॥ २८७ ॥ २८८ ॥

व त्यपदार्थमाह । साथित्रीति । प्राग्वदाह । प्रमृतीति । विशेषमाह । एतञ्चेति । षद्सु अग्निदादिषु । परोऽसर्पिडः शूद्रो वा । तत्र चे आहात्यंतेति । द्वितीय आह । शूद्रेति । सकत्करणेऽपीति भावः । अन्यत्र तु

"यत्रोक्तं यत्र वा नोक्तं महापातकनाशनम् । प्राजापत्येन शुद्धिः स्यात्तया चांद्राप्रणेन वेति" ॥ १५ द्विगुगादि बोध्यम् । यस्तु तेनै ग्रजीवित तस्य निंदितार्थो प्रजीवनप्रयुक्तमापत्प्रायश्चितं सित संभवे । असंभवे तु तस्य त्याग एव । एवं च यः पितृपितामहादिपरंपरया तथा जीवित स तु सुतरां संसर्गानहि इति बोध्यम् । लोकिशिष्टत्वं गीतत्वमि तत्राधिकं बोध्यम् । तेनापि निषेधकरूपनेन प्रायश्चित्तातिरेकस्य दर्शनादेवं च सर्वथा त्याज्य एवेति भाषः । अभि वारोऽनिभवरणीयस्य तत्काम । तथा मौलमकामविषयव्यवस्थामेवाह । तत्रेति । तेषां मध्ये इत्यर्थः । एते शूद्रयाजकाद्यः । २० पंचतपः पंचाग्नः । स चेदन्यत्र प्रयोगः । सहस्रवाक् । सहस्रावृत्तिः । सहस्रशब्दो बह्वर्यस्त-त्कितमाह । बहुश इति । प्रकृतत्वादाह । प्राकृतिभिति । संवत्सरित्यर्थः ।

उत्तमपादार्थमाह । यश्चेति । शरणेति । पत्राणार्थप्रायश्चितार्थवित भावः । सोऽपि मि. पृ.३०५. द्विविधोऽपि। पर्व संकात्यादि। प्राग्वदाहोत्कुर्वेति । शवश्रावणे तत्संनिधिपाठः । अत्र दक्षिणात्यागमधिकमाह । दक्षिणोति । सर्वत्र रुव्धद्वयस्य जले त्यागपूर्वकमेव प्राय २५ श्चित्तानुष्ठानम् ।

विशेषमाह । यदेति । त्रिरिति । प्रतिदिनं स्नानत्रयं । पक्षांतरमाह । सामांतरमिति । सर्वत्र तदानीमेवाध्ययनविराभेन प्रायश्चित्तमिति केचित् । अथाग्रिममाह । पित्रिति । त्यागश्चा-पितिनां । तेषां गृहात् निष्काशनम् । तत्राये विशेषमाह । तत्रिति । परित्यक्तिते सृजंतमाहस्तु । एतैरपि दोषैरत्याज्यमेव सर्वथा लक्षणरूपमायासुतत्यागेऽप्येवम् ।

द्वितीये तमाह । तडागिति । कौटिल्यमगुरौ । पूर्वतो भदमाहाशिष्टोति । देवताराधना-धर्थागृहीतव्रतलोपे अन्यस्मिन्वतलोपे चेत्यर्थः । क्रियापाक इत्याह । पाकिति । मधपेति ।

प्रायश्चित्त-याज्ञवल्कीये

मचपायाः स्वस्त्रियोऽप्युपमोगरूपे इत्यर्थः । व्यसनेति । नास्तिक्यादित्यपि बोध्यम् । तेनैव वसिष्ठेनैव। प्राग्वदाह। द्वादृशेति। तत्रैव भारद्वाजेनैव सर्वत्र "याव-त्कालमहोमस्तावत् द्रव्यं देयं सतेति" संस्काराद्यकरणरूपे चेत्यर्थः । स्त्रीति मार्याभावेऽस्यात्व-करणेन तद्धनोपजीवनं स्त्रीजीवनम् । प्राणिवधेन जीवनं हिंसा नीवनं । वश्यावर्थोवधिभि-अजीवनरूपं चापि तद्बोध्यम् । व्यसनेषु अष्टादश्य । आरोपके भावे णमुळ । रंगोपजीवी वंदी आत्मोति । द्रव्यप्रह्मोद्र परदास्यकरणरूपे इत्यर्थः । शूद्रप्रेष्यार्थमाह । शूद्रोति । ब्राह्मोति उभयान्वायिनिर्देशः । प्रायश्चित्तं संख्यमैत्रीहीनयोनिनिषेवणं द्विविधमक्कत-सवर्णाविवाहस्य हीनवर्णाविवाहः साधारणस्त्रीरूपवेश्यादिभोगश्च । तत्राऽये आहाऽपेति।राजन्या-पूर्वी सवर्णास्त्रीपरिणयनं विना क्षत्रियकन्यापरिणेता । एवमभेऽपि । द्वितीये आह । साधेति । विशेषमाह । तत्र चेत्यादिना । अभ्यास इति । अयमर्थः । मासपूर्तः प्राकृतिंशहिनपर्यत-प्रतिसत्रिगमनस्य त्रिचतुराभ्यासेऽपि नाभ्याससंख्यया प्रायश्चित्तावृत्तिसंख्याऽपि तु पूर्वदिने आवृत्तिसंख्येव दितीयदिनमारभ्येकोः त्रिंशह्निपर्यतगुणितसकुद्गमनप्रायश्चित्तावृत्तेः संख्या एक-त्रिंशत्तमिद्धं तु माससंरूपयैवाधिक्यवर्षपर्यतम् । द्वितीयादिवर्षे तु वर्षसंस्थाभिरेव प्रायश्चित्त-संख्याभिरेव प्रायश्चित्तसंख्याभिवृद्धिरिति । तथा च यो।नियोगेन वर्षत्रयं नैरंतर्येण प्रत्यहं चतुरा-१५ वृत्त्या व्यभिचारितां ब्राह्मणीं गच्छति तस्य प्रयमदिने प्राजापत्याष्टके द्वितीये प्राजापत्याष्टक-तृतीये चैवमिति रीत्या मासपर्यतं चत्वारिंशदाधेकदिशती प्राजापत्यानां प्राप्तौ तत्राहर्गुणा वृद्धि-रित्यनेन प्रथमे प्राजापत्यद्वयस्य सक्कद्गमनप्राप्तस्याहर्गताद्वित्वसंख्यागणनात् द्वितीये प्राजापत्यचतु-ष्टयं तृतीये प्राजापत्यषद् कमिति रीत्या द्वितीयदिनादारभ्येकोनत्रिंशहिनपर्यंतं दिनगणया षष्टि-प्राजापत्यानि प्रथमदिनस्याष्टौ चेति मासाभ्यासिनोऽष्टषष्टिप्राजापत्यानि प्रायश्चितानि द्वितीयादि-२० मासेषु माससंख्यया ब्यादिरूपमासकुद्गमनपाप्तपाजापत्यगतद्वित्वसंख्याया गणनाचतुष्ट्रे छब्वेऽष्ट-षष्ट्यासंकलने द्विसप्ततिचतुःसप्ततिप्रभूतयस्ते भवंति पूर्णे वर्षे द्विनवति द्वितीये वर्षे षण्णवतिः वृतीये द्विसंख्याधिकश्चतसंख्यास्ते भवंति । एवमन्यत्रापि बोध्यम् ।

इद्धादिति । प्रागुक्ते एव विषये सङ्घत्कृते एकं प्राजापत्यं प्राप्तमिति दिनत्रयं चतुरावृत्या-ऽभ्यासतो द्वादशप्राजापत्याः प्राप्तास्तत्र दिनसंख्ययेव सकुद्गमनप्राप्तेकत्वसंख्याया गुणने कृते २५ सति निष्पन्नसंख्याप्रायश्चित्तस्य त्रिदिनपर्यतं वृद्धेरुक्ततया प्रथमादिचत्वार एव द्वितीयादिने द्वौ तृतीये त्रय इति मिलित्वा नव प्राजापत्या मासमभ्यसतो द्वादशषण्मासमभ्यासात्द्वाविंशातिः । वर्षमात्रमभ्यसतः सप्तत्रिंशत् वर्षत्रयमभ्यसतः सप्तपंचाहात् एतदुत्तरं प्रतिवर्षे सार्धद्विसंख्यया वृद्धि-माश्रित्य प्रायश्चित्तं कल्प्यम् । यदि तु प्रथमदिनेऽप्यभ्याससंख्याया दिनसंख्यापराधः स्वीिक्यते तदा पूर्वत्र षट्संख्यायाः परत्र त्रिसंख्याया ह्वासनोक्तेव संख्या तत्र तत्र वाच्येति । अत्र द्वितीयो-३० पपत्तिश्चित्या।पंचदशतद्वुणं विंशदित्यार्षशीव्रस्य व्रतमिति शेषः । एवमग्रेऽपि । एवमुपपत्तिकाभ्यासे तु प्रकारविशेषित्रसर्वत्र बोध्यः ।

अनाश्रम इति । अगृहीताश्रमत्विमित्यर्थः । परात्र परिपृष्टतेत्यस्यार्थः । परेति । असिदिति। धार्नाद्वाद्वास्यास इत्यर्थः । आकरेति । स्वर्णायुत्पत्तिस्यानेषु राजाज्ञयाधिकारिन्त्विम्त्यर्थः ॥ २८९ ॥

याज्ञवल्कीये २९० श्लोकः।

मूळसंगतिमाह । भार्याया इति । आदिना जातिश्रंशकरादिकमेणाह । यथेति । एव
मि. पृ. २०८ मग्रेऽपि । स्वरूपनिवंधनमप्याह । तथा प्रतीति । व्यवस्थामाह । यदा

त्वित्यादिना । मासभ्रमितवारणायाह । प्रत्ययमिति । देवीमायगीतत्सत्वेनाधिकार इत्याह- ।

इदं चेति । सृति द्रव्यगृहीते इति शेषः । त्यागश्चाप्स प्रक्षेपः । कस्मैचिद्दानं वा । उपसंहरित । ५

प्रविमित्त । एकतरिनिमत्तके तु त्यागप्रायाश्चित्तयोविकत्य इत्याहुः । एकस्यैवानेकैः प्रतिग्रहे तु न

दोषः । षोडशमेहानादान्यसत्प्रतिग्रहः शस्त्रविषत्रह्मांडाश्चशालगामितललोहानां मृतश्य्याहंकारवस्त्रादिजातित्वधेचाशुप्रतिग्रहोऽप्यसन्नवश्राद्धमासिकश्राद्धग जच्छायासुमोजनमपि । तथा तीर्थे

प्रतिग्रहाविघातयाहीनेन प्रतिग्रहोऽपि तथा उत्तमद्व्यप्रतिग्रहश्च । उत्तमत्वं च मूल्यतो वचनाच ।

तत्र देवविप्र एव द्रव्यमुक्तमभृसरस्वत्यस्तथेति छांदोग्ये "अन्नद्धिमधुषणगोभूक्तमाश्चगजा १०

उत्तमा" इति । देवल "रत्नक्षेत्रवेश्महेमकोप्याभरणानि च मृतश्च्यादिप्रतिग्रहे पुनःसंस्कारोऽप्यधिक" इति बोध्यम् ॥

संगत्यर्थं स्वयमाह । जात्येति । आदिना स्वभावादि निंदितान्नाद्येऽन्नमहनीयमात्रं तस्य निंदितत्वं स्वभावकालसंपर्ककियामावपरिग्रहैः स्वभावान्नशुभादेहकालतः पर्युषितादेः संप-कित् श्वस्पृष्टादेः क्रियातो हस्तदानादिना व्यंजनादेः भावादिक्षरसादेः भवति हि कस्यचिद्कृ १५ रसे मंदिरे च मितिभावः । परिग्रहात्पतितादेशित बोध्यम् । च शब्देति । चकारेणेत्यर्थः । तन्न तेषां मध्ये । मूलमाह । पलांडुमिति । तदेवाह । निषद्धिमिति । अत्र मानमाहाऽमत्येति । पतानि श्रद्धादीनि । शेषेषु । छत्राकादिषु । अन्येषु वार्ताकादिषु । "वार्ताकं श्वेतकंद्वरं श्वेत-वृंताकमिति" देवलात् । वश्चनप्रभवा लोहिताः । लोहितानाक्षनिर्यासानिति स्मृतेः । गोब-

मि प् ३०९ लिति । ब्राह्मणविसिष्ठेत्य्वपि बोध्यम् । गृंजनं विषदिग्धवाणाहृतसृग- २० मांसामिति कश्चित् । कलिंजमिति तन्नामेति प्राच्याः । नाजरारंत्यमूलं यदीयं चूर्णे गायकाः कंउशुध्यर्थं मक्षयंति विटाश्च मदार्थं स पत्रविशेषो वेति माधवः । लशुनानुकारिस्हमनालः कंदविशेष इत्याचार्येः प्रागुक्तम् । पराशरोपि

"पीयृषं श्वेतलञ्जनं वृंताकफलगृंजनम् । पलांडुं वृक्षनिर्यासं देवस्वं कवकानि च ॥ "उद्दीक्षीरमवीक्षीरमज्ञानात्पिषते द्विजः । त्रिरात्रमुपवासेन पंचगन्येन शुध्यतीति ॥ "

पीयूषोऽभिनवं पय इति तस्य तत्वं चन्प्रसवकालिकत्वभित्येके दशाहांतःपातित्वभित्यन्ये । श्वेतत्वं लशुनवृंताकान्वाये । तेन रक्तलशुनाशे कृष्णवृंताकादौ न दोषः । वृक्षविशेषो हिंगुंकप्लक्षादिभिन्नस्तेषां भोज्यत्वाभ्यनुज्ञानादिति माधवः । एतानि लशुनादिनि । प्रकारः साहश्यम् । उन्दंति कुशैः प्रायश्चित्तांते पुनः पुनरूपनयनेषु सर्वत्र तत्र च न स्वाध्यायादिकाला-पेक्षा वपनमेस्तलादंडभैक्षचर्यादीनि च न संधिनी वृषेणोपजिगमिषुः ।

"श्चियाः क्षीरं द्विजः,पीत्वा कथंचित्काममोहितः ।पुनः संस्कृत्य चातमानं पंचगन्येन शुध्यतीति॥" तु कामतोऽत्यंताभ्यासविषयम् । अमेध्यभक्षेतिदावतं अनिर्दशाहं तान्यपि एणादिपयास्य-विप्रार्य स्यंविनी स्रवत्क्षीरा । आदिना असंस्कारदृष्टमांसम् । तथा चामक्ष्यमासं दिविषम् । स्वभावदुष्टम् संस्कारदुष्टं च । तत्रायं विट्शूकरादेः । द्वितीयमनुपाकृतमांसानीति मनूकेः। सूला वधस्थानं तत्र भवम् । वह्नरं शुष्कमांसम् । जग्व्वा मांसमिति । "अभोज्यानां तु भुक्तान्नं

मि. ए. ३१० स्त्रीशृद्धोच्छिष्टमेव चे"त्यस्यादिः । विशेषमाह । इदं चेति । एतदिति । कुष्णादाहीत्यर्थः । कूष्माँ हैस्तन्नामकमंत्रैः । पार्षताश्चित्रमुगः । सूत्रपुरीषे गोसबंधिभिन्ने । पंचेति । शशाद्यन्ये औष्ट्रं गव्यं च मांसं साहचर्यात् सर्वे पांचनखं शशाद्यन्यपंचनख-संबंधिमांसमूत्रादि ।

न्युनतां परिहरति । अत्रेति । स्नानं तेषामपि अत्राभ्यासवतांते सर्वत्र एतद्दिनं घृतप्राहानं पुनःसंस्कारश्च समुदितमहपणाभ्यासे तु षाण्मासिकं सांवत्सरं विति प्राच्याः । महयाणि च शशकाद्यः। पंचैव पंचनसाः । मत्त्येषु सिंहतुं डिकगेहितपाठीनराजीवाः सञ्चलकाश्च सर्वे 🦜 महिषाऽजाऽवि उरभ्रुक्षमुगाः पद्मुषु तित्ति रिमयूरलःवरूकपि जलवाधीणसवार्तिकाः पाक्षाबित्याहुः । अनंतरं । तावन्मात्रेन्द्वरणानंतरं स्वयं जलं स्रुशेत् । तच शिष्टं च हस्तस्थमेवं भूतं त्यजेत् । मुलस्थं निष्ठीच्य घतं प्राश्येन्मक्षणप्रक्रमादाह । प्रासंगीति माहारः अनेनाहारांतरानिवृत्तिः तमसः क्रेशः स्पत्वात् । एव मंत्रे पंचगव्यप्राशनेषि बोध्यम् । उपसंहरति । एवाभिति । प्रकृतत्वाद्।ह । पावकिति। बाह्मेति । तदीयो। च्छिष्टेत्यर्थः । उच्छिष्टमंत्रे भोजनपात्रे भुक्तशेषं अन्याः सपिंडाः भुक्त-१५ शेषं पाकपात्रावशिष्टमुच्छिष्टेति भोजनपात्रस्थभुक्तशेषेत्यर्थः । संनिकृष्टे इत्यस्यार्थो **महेति** । अवधृतः । भ्रष्टदिगंबरः । तृतीया सहार्थे । ततः कुर्यात् चंडालेति । तत्खानितेत्वर्थः । वर्णे वर्णे चातुर्वर्णे इति पाठांतरम् । चंडालादीति अन्यरेशंनितततत्परिगृहीतःयर्थः । तैत्रैनाह् । शुष्केति । तोये तु । तत्पाने तु । ब्रह्मेति । ब्रह्मकू र्वसाहितत्रिष्वेकोपवांसीरत्यर्थः । घटके च । सौरे सुरासंबंधिकलरो । वाग्दुष्टं हुपार्तश्च न को भुंके मामकृत्वन्नमेव हि ब्रूते यशोर्थ यम्त्वेवं ' २० तत्काकियाऽस्थिकिदं कस्य दीयते कियते न वा इत्युक्तवा दीयते यच द्वितीयभावदुष्टे आह । शंकायामिति । त्रिरात्रमित्युभयान्त्रयि । तृतीयपक्षमाह । पलाशेति । तृतीयार्थे द्वितीयः तैः काथियत्वा यः पिनेदित्पर्थः । शुक्तानि कालवशादम्लतां गतानि । ऋ वीषपकं भौमोव्मपक शम्नादि। समूहेति । महणकालभोजनिमत्यर्थः । अमेध्यान् । अन्यान् । यने इति द्विवचनं । यस्येति । शेषै षष्ठी। पलाशो वङ्घी पलाशो मध्यमपणी वा। लभते चांद्रकफलं। लभेचांद्रायणफलमिति २५ पाठांतरम् ।

"घृतं हीनं तु यो भुंक्ते नर एवाहु।तिपंचकम् । षश्चात् घृतेन भुंक्ते भुक्त्वा चांद्रायणं चरेत्॥"इति। मनुः । फालितं । राव इति प्रसिद्धम् । तेनैव कतुनैव ।

नादासंवित् कन्यायां अश्लेषांतग्रहिषता । " अथ भुंक्ते तु यो मोहात्कुच्छ्रं सांतपनं

मि. ए. २१४–२१५ चरेदि "त्यातस्तंबः । अप्रसिवितृकन्या अप्रसूता कन्या ।

अथ श्राद्धभोजने आह । पित्रादीत्यादिना । वृद्धौ वृद्धिश्राद्धे । अस्वह्रपे ।

गुणशीलादिभिरसमाने दशाहाहं नवानि तत ऊनाब्दांतं नगिश्रामिसपिंदतां मिश्रं

ततः पुराणानि साहित्यस्याविवक्षितत्वात्ताभिः सहभोजनांतषु अन्यतरत्कुर्वतो मासि प्राजापत्यं

१ एवं मूले । सूना वधस्थानं तत्र भवस् इति गुद्धः पाठो भाति ।

प्रत्येकं ज्ञेयम् । एवं संवत्सरेऽपि कल्प्यम् । द्विगुणं त्रिगुणादितद्भावं मंनिगच्छतीस्यनेन प्रायश्चित्ताभाव उक्त इति । जगत्प्रमोद्यव्याख्यापाठो मौळ एव । हास इति । मात्रमधिकं मासोऽपि त इत्यादानुषितपदोपादानान्मासादिना तस्यैवेदं प्रायश्चित्तं बळात्कारकारितगोमहिषोच्छिष्ट भोजनम्रीसंभोगादिप्रायश्चित्तैः सह समुचीयते कल्प्यं । ततः संवत्सरगुणिति । तच न नुसारादिति शेषः । मयूबेपि मौळपाठं ळिखित्वा शूळपाणिस्तु संवत्सरैश्चतुर्भिरित्यादि दुरात्य ५ इत्यंतोपपाठः प्राजापत्यचांद्रायणादिमासं मासमात्रे गवादिहिंसायां प्रातिस्विकं तत्तत्प्रायश्चित्तमेवा-

मि. पू. २१ कामतो विहितं ज्ञेयमित्युकं । योग्यतया आह । ब्राह्मणेति । तत्र मानं विष्णुमाह । ब्राह्मिति ।तेनैव । छिखितेनैव । ददाति दानं देवताः देविपतरः । विशेषमाहेदं चेति । कदंबकः । समूहः । सर्वशेषं किंचिदुच्यते । कापाछिकानं भोजने तज्जलं पाने च कपा च कामं तदर्धं च अभ्यासे द्विगुणं मत्या च प्रत्याभ्यासे चतुर्गुणं ततस्त्रीगमने चैत अत्यंताभ्यासेऽब्दे १० कुच्छूम । तथा चापस्तम्बः

"कापालिकान्नं मोक्तॄणां तनोद्गागामिनां तथा। ज्ञानात्कृळ्ञाब्दमुद्दिष्टमज्ञानादैंदवद्वयमिति "॥ पतिताच इछे च सितं तत्समुत्सृत्यातिकृळ्ं अन्नसत्रप्रवृत्तस्याप्रिहोत्रिणश्चामे न दोषः । पकान्ने त्वेकरात्रं त्रिरात्रं वा पावकं द्वाद्शचतुर्विंशतिर्वा प्राणायामाः चंडालावन्नभक्षस्यावभ्यासे मनुयमौ (५४).

"चंडालांत्याम्चियो गत्वा भुक्ता च प्रतिगृह्य च । तत्त्वज्ञानतो विंशे ज्ञानात्साम्यं तु गच्छिति ॥ ५५ "रजक्श्चर्मकारश्च नरो बुरुड एव च । कैवर्तनेमिभिल्लाश्च सप्तेते अंत्यजाः स्मृताः ॥
-"एतेषां च स्त्रियो गत्वा भुक्त्वा च प्रतिगृह्य च । पतत्यनावतो विप्रो ज्ञानात्साम्यं तु गच्छतीति"॥
पतिगृहवासभोजनतद्वत्तप्रतिग्रहेषु ज्ञानाभ्यासे मासोपवासः पंचदश घेनवो वा अज्ञानाभ्यासे वाशिष्टनिंद्यभंगादिमूलफलपत्राद्दिशते उपवासः।

अथ सूर्यसोमोपरागयोर्विद्यमानाग्नेः सोमयाजिनः कर्तव्यमाह देवलः

'सूर्यसोमोपरागे तु सोमयाज्यग्निहोत्रनान् । गार्हपत्ये सिमेद्धेऽग्नौ सुचा हुत्वा विधानतः ॥

'सूर्यसोमोपरागेषु स्नात्वायाजी प्रयछिति । मोक्षस्नानं पुनः कृत्वा मौनमास्थाय सत्वरः ॥

'गार्हपत्यं सिमिद्भिश्च प्राज्वालपयाज्य सुचोद्दहन् । सूर्योपरागे जुहुयाद् उदुत्यं चित्रमित्यचा ॥

"उपस्थाय ततः पश्चात् नत्वा स्नुत्वा विसर्जयेत् । एवं कृत्वा तदायाज्या सूर्यशेकमवाप्यते ॥

'सोमोपरागे जुहुयात् आप्यायस्वेतिमंत्रतः । सं ते पयांसि च पुनः हुत्वा चाज्याहृतिद्दयम् ॥

"ततः शुद्धिमवामोति सोमयाजी महानिहै । एवं कृत्वा तदायाजी सोमलोकमवाप्नुयात् ॥"

जावालिः

"ग्रहणे चोभयो राजन् अग्निवीर्यक्षयं गतः । राहुस्पर्शे तयोः पीडा ह्यमौ संकम्य तिष्ठति ॥ "सोमेयाज्यष्टमूर्यशात्पुष्पवंतो यथा चृप । अतो होमः प्रकर्तन्यो यज्वभिर्यत्नतो चृप ॥ "आत्मनश्चाग्निहोत्रस्य पुनर्वीर्यवलात्यये" । सोमयाजिनस्त्वष्टमूर्तित्वमस्तीत्युक्तम् ॥ तदेवाह भविष्योत्तरपुराणे

''पृथिवी सिलेलं तेजो वायुराकाश एव च । सूर्याचंद्रमसौ सोमयाजिनस्वष्टमूर्तयः ॥'' इति हेमादिविरचिते सूर्यसोमोपरागेयोर्यज्वनः कर्तव्यांशप्रायश्चित्तम् । अय सोमपानप्रतिग्रहप्रायश्चित्तमाह देवीपुराणे।

''सोमं पिबेद्द्रिजो यस्तु ह्यज्ञानकुलनामाभिः । साकं यज्ञेषु मोहात्मा स वृथा ब्राह्मणस्मृतः॥" व्यर्थनामधेयः । घृतकोशगृहां वंतादिवत् ।

"तस्यैव निष्कृतिर्नास्ति पुनःसंस्कारणाहते । पश्चान्चांद्रायणं कुर्याद्वापयित्वा शिरोस्हान्॥" पतञ्ज्ञानकुळगोत्रनामहोतृभिः सह सोमभक्षणविषयम् । सबंधुभिः सह पीत्वा प्रायश्चित्तमाह कुर्मपुराणे

"बंधुभिः सह मोतोता पीत्वा सोममहाकतो। स्वमंत्रोचारणं कृत्वा त्रिवारं शुद्धिमाप्नुयात्" ॥ स्वमंत्रनेचिरिहितारि च कमीणि नियुक्तः । तत्र ये मंत्रास्तान् त्रिश्चार्य पश्चाच्छुद्धिमवाप्नाति स्व-बंधवाः । स्कंव्युराणे ।

"सङ्ख्यश्च सनाभिश्च सिपंडश्च सगोत्रवात् । मातुलस्नेहपुत्रस्वभावुको दुहितापितः ॥
 "श्वशुरस्नेहपुत्रश्च भागिनेयस्तथात्मजाः ।

"पितुःपितुः स्वसापुत्राः पितुर्मातुः स्वसुः सुताः । पितुर्मातुलपुत्राश्च विज्ञेयाः पितृबांधवाः ॥ "मातुः पितुस्वसुः पुत्रा मातुर्मातुः स्वसुःसुता । मातुर्मातुलपुत्राश्च विज्ञेया मातृबांधवाः ॥" समानकुलं यस्य सः सकुल्यः । त्रिपुरुषादुःर्वे समाना नाभिर्यस्य सः सनाभिज्येष्ठकिष्ठ-भू श्रात्रादिः । समानपिंडो यस्य सः सकुल्यपिंडज्येष्ठकिष्ठिपितृव्यस्तत्पुत्राः । समानं गोत्रं यस्य सः सगोत्रः । पंचमादूर्व्वे एते स्वबांधवाः । एतैः सह सोमभक्षणे समंत्रपृतस्त्रेधावृत्य न दोषः । अज्ञात-बंधुभिः सह मक्षणे चांद्रायणं कृत्वा पुनःसंस्कारं तेम्यः प्रतिग्रहपायश्चित्तमाह लिंगपुराणे

"अज्ञातहोतृिमः सार्धे यः कृत्वा सोममक्षणम् । तस्मात्सुवर्णवर्णे वा प्रतिगृह्य द्विजोत्तमः ॥ "प्राजापत्यं चरेत्कुच्छ्रमण्डमात्रं सुवर्णतः । पूर्वोक्तं च सुवर्णे च षडब्दं कुच्छ्रमाचरेत् ॥ "उपोष्य रजनीमेकां अनशुक् शुद्धिमाप्नुयात् । उपोष्य पंचगव्यं वा पीत्वा शुद्धिमवाप्नुयात्॥"

इति हेमाद्विविरचिते सोमप्रतिग्रहपायश्चित्तम् ।

अथ पशुपुरोडाशमक्षणप्रायश्चित्तमाह देवीपुराणे ,

"यज्ञेषु साधुवृत्तेषु धर्मार्जनधनेषु च । तत्रैव भक्षयेनमध्ये पशुं वृद्यर्थमाद्रात् ॥

"ब्राह्मणो ब्रह्मवित् पूतः पशुं यद्यभिहारयेत् । तस्यैव निष्कृतिर्भूप वेदपारायणं स्मृतम् "॥ एतत् बंधुकृत्यविषयम् । अन्यत्र भक्षणे. द्विगुणम् । अश्रोत्रिययज्ञे पशुपुरोडाशभक्षणे विगुणं । शूद्रद्वय्यम्हणयज्ञेषु पशुभक्षणे पंचगुणं पुनः संस्कारश्च कूर्मपुराणे

"स्वबंधुक्कतयज्ञेषु प्राप्तं यत्पशुभक्षणम् । पारायणेन शुद्धिः स्यात् अन्यत्र द्विगुणं भवेत् ॥ "अश्रोत्रियेषु त्रैगुण्यं शुद्धे पंचगुणं भवेत् । पुनः संस्कारकृत् पूतः शुद्धो भवति सर्वदा॥" तत्प्रतिमहदोषप्रायश्चित्तमाह स्टिंगपुराणे

"पशुं भक्षयतो यस्य द्विजस्याकृतिनिष्कृतेः । प्रतिगृह्य सुवर्णे वा ज्ञात्वाञं संपरिग्रहेत् ॥ "अज्ञात्वा कुच्छ्रमात्रेण ज्ञानेनैव द्वयं स्मृतम् । अञ्चमृत् पंचगन्येन शुद्धिमाप्नोति पूर्वजः॥" अल्पसुवर्णप्रतिग्रहे प्राजापत्यं स्वर्णमात्रप्रतिग्रहे द्विगुणम् । अञ्चमक्षणे पंचगन्याच्छुद्धिः । युपिष्ठिरः । यदा भार्गव. भुवः । १ । भीष्म ।३.। अञ्चाप्युदा. भारत । २ । अञ्चन य. तिस्थितिः

। ३। अजेन यष्टव्यमिति । अजच्छागस्तेन यागः कर्तव्यः । नान्यो यज्ञार्हः पद्मरिति स्थितिः । देवानां सिद्धांत इत्यर्थः ।३। ऋषय.। बीजैर्यज्ञे. महैय ।४। ऋषयः स्वसिद्धांतं दर्शयति । बीजै-रिति । अजेन यष्टन्यमिति या श्रुतिर्बीजपरा । तत्राजसंज्ञाति बीजानि भूमौ क्षिप्यंत इत्यज-संज्ञानि भवंति । तं भागं बीजमयं भागमित्यर्थः । नैष धर्मः स. पशुः ।५। भीष्म २. । तेषां संव. वाचसुः ।६। अंतरिश्च. क्ष्में ।७। ऊचुर्द्धिजा. प्रियः ।८। कथंस्विद. वसु. ।९। एवं ते संविदं कूत्वा. ५ मंतिकात्। ९। संविदं प्रतिज्ञा । ९। भो राजन्, वान्मतः । १०। ॐषधीः ॐषधीभिः । ॐ षिमिवैधीन्यौरत्यर्थः ।१०। सतां कृतां-तमाः ।११। कस्य वा कः परः काम इत्यत्र कस्य काम इत्यत्र कस्य कामः सिद्धांत इत्यर्थः । कस्य वा को मतः पक्ष इति पाठांतरं ।११। ऋषयः धान्यैर्यष्ट-त्वद्स्व नः ।१२। भीष्मः । देवानां तुम-स्तदा ।१३। कृपितास्ते ततः स वादिनं ।१४। सुरपक्षे-गतिः ।१५। आत्मछायाभिस्तदा ।१६। प्रवक्ष्यसि पातालमिति होषः ।१६। अधो वै १० ज्ञया ।१७। देवास्तु-स्यतत् ।१८। अनेनाकसः ।१८। सहितैर्नो दिवौकसः । भो अस्माभिः दिवौ-क्स इति संबोधनं ।१९। इतिबुध्या—रंसदा ।२०। ब्रह्मण्य-क्षणं । २१। ब्रह्मण्यदैवतं ब्राह्मण-हितानांपतिं ।२१। मानना. तम ।२३। यतस्वं. तम ।२३। यावत्वं. माप्यसि ।२४। यज्ञेषु. ज्ञत । २५। वाजश्र मे प्रसवश्च म इत्यादिना अग्निचित्या होतव्या संतता घृताहुतिर्वसोर्धारा अस्महेतु-ध्यानात् । अस्मानुग्रहात् ।२५। नक्षत्पि. नच ।२६। सदेवौ. कसः ।२७। गताःस्व. भारत ।२८। ५५ जप्यंज. दय ।२९। वसुर्विवणतस्त द्वव्यलीकस्य फलात् । गुगुरोब्रोह्मणस्य व्यलीकस्यस्याप्रिय-कारणस्य फलाद्भमेर्विवरण इत्यर्थः । नारायणमुखोद्भतं पंचरात्रे मगवता प्रोक्तं द्वादशाभ्या-े मित्यर्थः । पंचकालान् । संध्यासंगदात् ।२९। अजयद्धरिं. हरिः ।३०। अनन्यं त्तमं ।३१। द्विजो-त्तमंपक्षीदं ।३१। गतत्प्रतं. नमम ।३१। संप्राट् । त. उं ।३३। मानिता. ज्ञया ।३४। अधश्च. वान् ं३५ विवेश. सुतः ।३६। उत्वपा. पुमः ।३७। सशरी. ज्ञया ।३८। प्राप्ता. श्वरः ।३९। ततः शा. २० पच ।४०। भीष्म । एतत्ते नृषिः ।४१। ततेसर्वे. नृप ॥ इति शांतौ नारायणीये । ते भूता मानवा इति । ते मानवाः सप्तद्वीपवासिनो यथाभूतास्तथैतत्तेसर्वमाख्यातमित्यर्थः । इति मोक्षधर्मे ।४२। अव्यपरार्थं गायत्रीजपकर्ताणां प्रायश्चित्तमाह ब्रह्मांडपुराणे

"परार्थं शृणु राजेंद्र गायत्रीजपकुचरः । मोहार्थं धनलोमार्थं स वै पाषंडतां वजेत् '॥ गारुडपुराणे

" ब्राह्मणो धनलोभेन परार्थ वेदमातर । जप्त्वा नरकमामोति तं कदा नालभेरबुधः । कूर्मपुराणे

"वेदमाता च गायत्री जपतां पापनाशनी। परार्थं नात्यजेयस्तु स नरो मातृघातकः॥" र्लिगपुराणे

" पादपूर्ण जपेदास्तु गायत्री शुद्धमानसः । स वै नारायणः साक्षाद्द्विबाहुरिति विश्वतिः ॥" ३० महाभारते

" वेदमाता तु गायत्री लोकमाता च जाह्नवी। तयोर्यदि जपो भक्तचा नित्यं सेवेत बुद्धिमान् ॥

" तयोरेको परित्यज्य परार्थे जनवञ्जम । स दिवाकीर्तितुल्यं स्थान्मृत्वा नरकमश्रुते ।"

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प्रायश्चित्त-याज्ञवल्कीय

" तदंते भुवमासाय पादळंबादिबांघवान् । तस्य निष्कृतिरस्येव दृष्ट्वा मुनिपरायणैः ॥

"दशकुज्जपतो देवीं परार्थे कुछूमीरितं । शतं परार्थे जपतः पराकं परिकीर्तितं ॥

" सहस्रसंख्ययान्यार्थे शुध्यर्थे चांद्रमाचरेत् । अयुतं नियुतं वापि परार्थे धनलोभतः ॥

" जपतस्तस्य कर्माणि सद्यः शीर्यति देहतः । तस्योपनयनं भूयश्चांद्रायणचतुष्टयम् ॥

" औपासनाभ्रिं संत्यज्य गायत्रीदानमेव च । केशानां वपनं कृत्वा पंचगव्यं ततः परम् ।

" परार्थं यावती संख्या गायत्री प्रणवात्मिका । पुनः स्वार्थं जपत्पश्चात्ततः शुद्धिमवाप्यते ।।

" एवं क्वत्वा द्विजः शुद्धेदन्यथा जलकाकवत् । तस्य जन्म वृथा लोके नामधारणमात्रकम् ॥" मि. पृ. ११७, न्यूनता परिहरति । निमित्तेति । परीति । मननेति शेषः । सचेत्थं "ब्राह्मणस्य कृतः कृत्यां व्रातिरव्रयमयपोः । जैम्ह्यं पुंसि च मैथुन्यं जातिश्रंशकरं स्मृतम् ॥

"विसश्वीष्टमगे भानो मजाविकवधस्तथा । संकरीकरणं ज्ञेयं मीनाहिमहिषस्य च ॥

"निंदितेभ्यो धनादीनां वाणिज्यशूद्रश्वेतसेवनम् । अपात्रीकरणं ज्ञेयमसभ्यस्य च भाषणम्॥ "किमिकीटवयोहत्यामघानुगतभोजनम् । फलैयः कुसुमस्तेयसवैर्यं च नलावहम् ॥" इति

वृद्धविष्णुः । अतोऽन्यत्प्रकीर्णकमिति महार्णवेतकः । द्विपठावहांताद्वन्यत्रजःक्कृत्या-रोमोत्पाटना । अघ्रेयं पूतिगंधि । योगीश्वरस्य तु एतेषामि अस्मत्प्रतिग्रहादिवचकारेण संग्रहोभि-९५ मत इत्युपपातकत्वमेवेषारुपिविशेषसंख्यास्तु तत्रोक्ताः प्रायश्चित्तविशेषार्थे । अत एव हृद्गत-मित्यादिपंचविधमिति च तत्रादिना एतेषामिप संग्रहः । प्रमापणं । मारणम् ॥ २९० ॥ २९१ ॥

याज्ञवल्कीये २९२ श्लोकः।

मि. ए. ३१८. संगतिमाह। एविमिति विप्रमित्युभयान्वयीत्याह। विप्रमित्यादि॥२९२॥

याज्ञवल्कीये २९३ श्लोकः।

२० इदं चानुक्तप्रायश्चित्तं विशेषविषयं । उक्तप्रायश्चित्तविशेषविषये आह । श्चौतेष्विति ।

मि. प. २१९ महायज्ञाः पंचमहायज्ञाः । इदं च विषयानुपादानादनापयकामकृते दिगुणम् । आपय कामतः । कुच्छूपादः कामतः कुच्छूप्रधेमेन । इदमपि सक्टत्वप्ये(?) । अभ्यासे तु «
कल्प्यं वहनिति उपपादितत्वमयोः समुच्चयः । प्रत्यापत्तिः पुनरागमनम् । मार्गतामिति

मि. पू. २२०. षष्ठचन्तम् । धनुरिति । क्रमेण धनुर्देडौ दक्षिणा । तल्प भार्या । व्यव२५ स्थेति । कामत इदं । दंतानाभिति । दृष्टान्तामुद्रपाटयेदित्यर्थः । अभ्यासेति । अनभ्यासे
त्वर्ध । प्रत्यंतो म्लेच्छदेशः । प्रतदेव हारीतोक्तित्ररात्रमेव । एवमग्रोपि प्रधानं शुद्धिः
॥ २९३॥

याज्ञवल्कीये २९४ श्लोकः।

मि. पृ. २२१ शक्तिविषये आह । तथेत्यादि । पापविषये आह । तथा पापं चेति । ३० तुर्यपादार्थमाह । यत्र चेत्यादि । कंदितेति । 'झंमितेति' पाठान्तरं । नोदेति । अयं निषेधः सप्तमासादूर्ध्वम् ।

''वपनं मैथुनं तीर्थं वर्जयेद्गर्भिणीपतिः । श्रान्दं च सप्तमान्मासादूर्ध्वं चान्यत्र वेदविदि"त्युक्तेः ॥

श्राद्धं श्राद्धभोजनम् । तत्रापीति । तत्र प्राणायामशतमित्यादिना वक्ष्यमाण एवमंग-कल्पनया तत्कल्पनामुक्ता तस्यापि साक्षात्कल्पनामाह । न चेति । परमतात्पर्य मुनेराह । प्रायश्रीति ॥ २९४ ॥

याज्ञदल्कीये २९५ श्लोकः।

मि. पृ. ३२२. मंगत्यर्थमुपसंहरति । एवमिति । मन्वनुरोधनाह । अथवेति । उपा- ५ सीरन् ज्ञातयः । न्यूनतां परिहरति । एतखेति । अत्र मानं गौतममाह । तस्येत्यादि । अस्यार्थः । यः पतितत्वादिहेतुना त्याज्यत्वेनोक्तस्तस्य विद्यागुरूनाचार्यादिन्योनिसंबंधान्मातामहन्मातुलादींश्च पुत्रादयः संनिपात्य मेलियित्वा तेभ्यश्च तत्कारणमाहद्यतैरनुमताः पुत्रादयः सपिंडाः सर्वाणि पिंडोद्कश्राद्धादीनि प्रेतकार्याणि जीवंतमेव समुद्दिश्य कृत्वा पात्रं चास्य त्यागस्य कृते विपर्ययेयुः । कथमित्यपेक्षायामाह । दास इत्यादि । तथोर्मध्ये एकः अवकरा- १० तपुरीषादिस्थानाद्शुचिपात्रमानीय दास्यानीतोदकघटात्तत्पात्रमुद्दकेन पूर्यति तदनंतरं दक्षिणामुखो देवदत्तमनुदकं करोमीन्यमिधाय पदा विपर्यस्य तं त्याज्यं सपिंडाः पुत्राद्यः । प्राचीनावीतिनो मुक्तिशिखा अन्वालंभेरन् विद्यागुरवो योनिसंबद्धा वीक्षेरन् । ततः स्नात्वा मामं प्रविशति । अत कर्ध्व तेनाज्ञानात्संभाष्य सावित्रां जपन्नहोरात्रं तिष्ठेत् । ज्ञानात्तु विरात्रं जपन् तिष्ठेदिति ।

विशेषमाह । अयं चेति । उत्तरार्धार्थमाह । ततस्तिमिति । ततः घटस्फोटानंतरं । १५ यात्रामिति । लोकन्यवहारमित्यर्थः । उक्तशेषगौतममाहात ऊर्ध्वमिति ॥ २९५॥

याज्ञवल्कीये २९६ श्लोकः।

निनयेयुः शुभे जलाशये पश्चिपयुः । न्यूनतां निरात्वष्टे । एतच्चेति । अपामिति शेषषष्टी । मि. पृ. २२३ शातकुंभं कांचनं । उत्तरार्धार्थमाह । तत इति । सर्वश इत्यस्यार्थः सर्वेति । वसिष्ठः । तथाभिषिक्तस्य प्रत्युद्धारः पुत्रजन्मना व्याख्यात इति । अभिषिकस्य पूर्वोक्तरीत्या २० कृतस्नानस्य प्रत्युद्धारो भवति । स च पुत्रजन्मना व्याख्यातः । उक्तरीत्या प्रत्युद्धारानंतरं जातः कर्मादिसंस्कारैः संस्कुर्यादित्यर्थः ॥ २८६ ॥

याज्ञवल्कीये २९७ श्लोकः।

पतितस्येति । प्रसंगादिति भावः । आदिना कृतप्रायश्चित्तानां परिग्रहः । अत एवाग्रे व्याख्याने एतत्पाठः कचित् दृश्यते ॥ २८७ ॥

याज्ञवल्कीये २९८ श्लोकः।

नीचो हीनवर्णः शूद्धं इत्याह । हीनेति । न पुनरिति । तथा च त्रीणीत्यप्युपलक्षणं बोध्यम् । तेन वसिष्ठेन । एवमग्रेऽपि । जुंगितः प्रतिलोमतः । एवं सत्यविरोधं प्राह । अत-श्रोति ॥ २९८ ॥

याज्ञवल्कीये २९९ श्लोकः।

व्यापारो हिंसा । तात्पर्यमाहातश्चेति । तथा च शरणागतहंतृबालहंतृस्त्रीहंतृकृतशाश्च सर्वथा सर्वमते अव्यवहार्या एव । प्रायश्चित्तं तु तेषां परलोकायैवेति बोध्यम । वाचस्पतिमिश्चास्तु

भामत्यां महापात्तिकनः कामतोऽव्यवहार्याः । वचनात्प्रायश्चित्तं तु परलोकशुद्धिमात्रफलक-मित्याहुः ॥ २९९ ॥

याज्ञवल्कीये ३०० श्लोकः।

यवसं वृणं । तात्पर्यमाह । यद्गीति ॥ ३०० ॥

याज्ञवल्कीये ३०१ श्लोकः।

(पूर्वार्धः ।)

तावं । तथामिति पाठांतरं । पापनिष्कृति कृत्यः । धर्मः स्मृतिः । तेनैवं मनुनैव । मि. प्र. ३२५ अत्र धर्मोपदेशविषये व्यवस्थामाह । तत्र चेति ।

(उत्तरार्धः ।)

१० स्वयं संगतिमाह । व्याख्यायित । क्त्रिंतिविशेषणफलमाह । अतश्चेति । तया च हारीतः "रहस्ये रहस्यं प्रकाशे प्रकाशमिति" । तत्र वताचरणाविषये । अविभाव्य अविचार्य । एकांततः । नियमतः । अन्येषामपि तत्ज्ञानं नांगमित्याह । इतरेषामिति । स्त्रीशूद्रमिन्नानां त्रैवर्णिकानामित्यर्थः । योगं विनियोगं । एतेन तेषामुच्चारणे आश्वलायनैः कियमाणं निरस्तं । मि. पृ. ३२६ अत्रापि । रहस्यवताचरणेऽपि ॥ ३०१ ॥

याज्ञवल्कीये ३०२ श्लोकः।

तद्वते एव भ्रांतं इत्यन्वयः। उद्कांते तत्समीपे स्थंडिछं च स्थित्यर्थः। इतस्त्र श्रोत्रियादि-भिन्ने अष्टाधिकसहस्राहुतीः। युक्तः। समाहितः। अभ्युपयन् स्नानं कुर्वत्॥ ३०२॥

याज्ञबल्कीये ३०३ श्लोकः।

उपसंहरन् । इदं चेति .। प्राणांतिकप्रायृश्चित्तानिमित्ते ब्राह्मणवधे इदमिति त्वपरार्के । २०॥ २३३॥

याज्ञवल्कीये ३०४ श्लोकः।

(पूर्वार्धः ।)

मि. पृ. ३२७ मासं षोढशेत्यनुवृत्तेराह । मासमिति । अप इत्यस्य व्याख्याप न इति । प्रतित्यृचिमत्यस्य प्रतीतिमाह । त्रमित्यस्य महित्रीति । शुद्धवत्यस्यैतान्विद्रमिति पावमान्यः २५ स्वादिष्टया मदिष्टयेत्याद्याः । अनुवृत्तेराह (त्रिराक्नेण इति ।

(उत्तरार्धः ।)

तदनंतरमाह । जलेति । अत्रापि कर्मणेसंगौर्यया।(?) इदमकामतः । अत्रैवाभ्यासे द्विगुणं कल्प्यम । कामतस्तु मंत्रैरिति मनूक्तं शेयम् । अतः कामतोऽभ्यासे आहावृत्तौ त्विति । ॥३०४॥

याज्ञवल्कीये ३०५ श्लोकः।

अनुमीयते । विधीयते इति पाठांतरं । होमेऽपि चत्वारिंशत्मंख्या बोध्या । उत्तरार्धार्थ
मि पु. ३२८ माहेभिश्चेति । मासं षोडशेत्यनुवृत्तेराह । मासमिति । अथ मूळानुकं संसर्गिप्रायश्चित्तमाह । माहेति ॥ ३८५ ॥

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याज्ञवल्कीये ३०६ श्लोकः।

पूर्वपादानुरोधेनादावुत्तरार्घार्थमाह । गोवधेति । जाते समूहः बहुत्ववयवाभिष्रायं अना-दिष्टपदमाह । अनेति । जाता एकत्वं । तृतीयपादार्थमाह । तथेति । अनेनानर्थक्यं । परिहृतं योय-रूपा आह । तत्र चेति ॥ ३०६ ॥ मि. पृ. ३२९

याज्ञवल्कीये ३०७ श्लोकः।

उत्तमत्वमविवक्षितमित्याह । द्विज इति । ब्रह्म व्याहृतयः ॐमूरित्याद्यः । ब्रह्मणा ओंकारेण । व्याह्वतिभिश्च । उरोगं हृदयंगमं ॥ ३०७ ॥

याज्ञवल्कीये ३०८ श्लोकः।

चेन वाचिकं तुर्यपादार्थमाह । तथेति ॥ ३०८॥

याज्ञवल्कीये ३०९ श्लोकः।

न्यूनतां परिहरति । चशब्द इति । दुर्गा जातवेदस इति । मध्वूचः मधु वाता इति ॥ ३०९ ॥

याज्ञवल्कीये ३१०।३११ श्लोकौ।

व्यवस्थामाह । तत्रेति । तिलैरित्यस्याग्रेऽपि संबंधादाह । तथेति । क्षौदं मधु। इतरैः श्वेतैः ॥ ३१० ॥ ३११ ॥

याज्ञवल्कीये ३१२ श्लोकः।

व्यवस्थामाह । अतश्चेति । उपसंहरति । एतदिस्ति । अथ रहस्यसाधारणप्रायश्चित्तं मनुराह (अ. ११ श्लो. २४५,२४६,२४८)

"वेदाभ्यासोऽन्वहं शक्त्या महायज्ञियाक्षमा । नाशयत्याशु पापानि महापातकजान्यिप ॥ "यथैधान्तेजसा वह्निः प्राप्तान्निर्दहति क्षणात् । तथाऽज्ञानकृतं पापं कुत्स्नं दहति वेदवित् ॥ ''सन्याहृतिकप्रणवाः प्राणायामस्तु षोडश । अपि भ्रूणहन्तमासान्तात् पुनंत्यहरहः कृता ॥''इति ।

All the All Marine and All

"यद्यकार्यं कृतं साग्रं शतं वेदश्च धार्यते । सर्वे तत्तस्य वेदाग्निर्वहत्यग्निरिवेधनम् ॥"

"सहस्रपरमां देवीं शतमध्यां दशावरास् । गायत्रीं प्रजपेन्नित्यं महापातकनााशनीम् ॥ "ऋग्वेद्मभ्यसेयस्तु यजुःसाममथापि च । सूक्तानि सुरहस्यानि अथवीगिरसस्तथा ॥ "ब्राह्मणानि च कल्पांश्च षढंगानि तथैव च । इतिहासपुराणानि देवतास्तवनानि च ॥ "पूर्वपैः प्रमुच्येत धर्मस्थानैस्तथापरैरिति" । कूर्मपुराणे "जपस्तपस्तीर्थसेवा देवब्राह्मणपूजनम् । ग्रहणादिषु कालेषु महापातकशोधनम् ॥

"पुण्यक्षेत्राभिगमनं महापातकनारानम् । देवताभ्यर्चनं दानमरोषाघविनारानम् ॥

"अमावास्यां तिथिं प्राप्य यः समाराधयेद्भवम् । ब्राह्मणान्मोजयित्वा त सर्वपापैः प्रमुच्यते ॥

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"कुष्णाष्टम्यां महादेवं तथा कुष्णचतुर्दशीम् । संपूज्य ब्राह्मणमुखे सर्वपापैः प्रमुच्यते ॥ "त्रयोदस्यां तथा रात्रौ सोपहारं त्रिलोचनम् । द्वष्ट्रशं प्रथमे यामे मुच्यते सर्वपातकैः ॥ "एकादस्यां निराहारः समम्यच्यं जनार्दनम् । द्वाद्स्यां झुक्रुपक्षस्य सर्वपापैः प्रमुच्यते ॥ "उपोषितश्चतुर्द्श्यां कुष्णपक्षे समाहितः । यमाय धर्मराजाय मृत्यवे याचकाय च ॥ "वैवस्वताय कालाय सर्वभूतक्षयाय च । प्रत्येकं तिलसंयुक्ताच द्यात्सप्तादेकां जलीन् ॥ "स्नात्वा न धातुपूर्वाह्णे मुच्यते सर्वपातकैः " । तथा तत्रैर्वाध्यायांतरे "अस्मिन्कलियुगे घोरे लोकाः पापानुवर्तिनः । भविष्यंति महाबाहो वर्णाश्रमविवर्णिताः ॥ "नान्यत्पस्यामि जंतूनां मुक्त्वा वाराणसीं पुरीम् । सर्वपापप्रशमनं प्रायश्चित्तं कलौ युगे ॥"इति ॥ ३१२ ॥

याज्ञवल्कीये ३१३।३१४ श्लोकौ ।

मि. ए. ३३२ विरोधं परिहरति । यत्पुनरिति ॥ ३१३ ॥ ३१४ ॥

याज्ञवल्कीये ३१५ श्लोकः।

तत्र । वतानां मध्ये । गोमूत्रमिति एतेन कुशोदकं तु गोमतीरं दिधमूत्रं शकुत्वृतमित्यपरार्क-पाटः प्रत्युक्तः । स्मृतिषु तथैव कमदर्शनात् । साहचर्यात्क्षीरादि गोरेव । एवं स्त्रीव्यक्ते एव गोमूत्रादि । १५ संपूज्य मिश्रीकृत्य । संयवनं मिश्रीकरणम् । विपरीतमाह । यदा पुनिरिति । शंवतीः शनो-मि ए २३३ देवीरिति । ब्रह्मकूर्चो इति ब्रह्मकूर्चीस्यः पूर्वदिनानुष्ठीयमानः स्प्रकांत इत्यर्थः । एतत्सूचनार्थमेवोपवासपदं । एवं च तस्य प्राथम्यं युक्तं इष्टं च ब्रह्मपुराणोक्तसप्ताह-साध्यसांतपने तस्य प्राथम्यं । एतेन महलस्यैव संज्ञांतरमिति मदनायुक्तमधास्तम् । मरीचिरिप

"देवताः संप्रवक्ष्यामि आनुपूर्व्येण यस्यणा (?)। वरुणो देवता मूत्रे गोमये हंसवाहनः ॥ "सोमः क्षीरे दिन्न वार्युर्वेते रिवरदाहृतः ।

"गोमूत्रं ताप्रवर्णायाः श्वेतायास्त्वथ गोमयम् । पयः कांचनवर्णाया मालायास्त्वथ वा द्धिः॥ "घृतं वै कृष्णवर्णाया विभक्तावर्णगोचरम् । उद्कं सर्ववर्णं तु तस्य वर्णा न गृद्धते ॥ "गोमूत्रस्य पलं ग्राह्ममंगुष्ठार्द्धं तु गोमयम् । क्षीरस्य त्रिपलं ग्राह्मं पलमेकं कुशोद्कम् ॥ "आपो हि ष्ठेति चालोडच्य उद्यम्य प्रणवेन तु । अग्नये स्वाहा सोमायद्रायदं विष्णुर्मानस्तोके । "गायञ्या प्रजापतेन त्वदेतानीत्याग्नौ जुर्ह्चयात् ।

"नदीप्रस्नवणे तीरे रहस्ये निर्ऋते तथा। शुक्कवासाः पवित्रात्मा अहोरात्रोषितः पिबेत् ॥ "पालाशेन च पत्रेण बिल्वपत्रेण वा पिबेत् । तृतीयं ताम्रपात्रं वा ब्रह्मपात्राणि तानि वै ॥ "प्रतिमासं पौर्णमास्याममावास्यां च वा पिबेत् ।

ब्रह्महा परगामी च ये चान्येऽस्थिगता मलाः ॥ ब्रह्मकूचों हरेत्सर्व मंथाग्निस्तृणमेव तु ॥" इद्ध इति । विशेषांतरमाह । यदा त्विति । मौलमेवोभयात्मकं मिश्रितपंचगव्यमिति बहुनीहिः । एवं च षडहसाध्यमेतत् । जावेति । ब्रह्मपुराणे त्वन्यथा क्रमसप्ताहसाध्ये सांतपनमुक्तम् "प्रथमेऽहाने नाइनीयात् गोमूत्राशी ततः पुनः। तृतीये गोमयाशी स्यात् चतुर्थे क्षीरपो भवेत्॥

"पंचमे दिध मुंजीत घृतं षष्ठे भवेदथ । कुशोदकं सप्तमे च कुच्छ्रे सांतपने विधिरिति ॥" यमेन तु दिनत्रयसाध्यं सांतपनमुक्तं गोमूत्रम्

''एकरात्रोपवासश्च श्वपाकमिप शोधयेत् । किपलायां तु दुग्धायां धारोष्णां चैव यः पिबेत् ॥ ''एवं सांतपनः क्रुच्छ्रः सर्वपापप्रणाशनः ॥" इति ॥ ३१५ ॥

याज्ञवल्कीये ३१६ श्लोकः।

अनन्वितत्वादाह। सतिति। षष्ट्यां पूर्वोक्तगोम्त्रादिन। । एतानि। गोम्त्रादि कुशोदकांतानि षद्दव्याणि । एवेनि। पवासनिवृत्तिः । एवं च दादशाहसाध्योऽयं अप्यैतत्यत्याम्नायाः तत्र
सप्ताहसाध्यसांतपनस्य सार्धप्राजापत्यत्यस्थाने विहितत्वादेका धेनु निष्कार्धं च देयम् । षट्विश्वान्मतस्य वश्यमाणत्वात् दिनद्वयसाध्ये सर्वत्र निष्कार्धं दिनत्रयसाध्येऽपि षट्दिनसाध्ये
यतिसांतपने धेनुः । सप्ताहसाध्ये महासांतपनेऽपि पूर्ववत् पंचदशदिनसाध्ये धेनुद्वयम् । तिष्कार्धं १०
च । एकविंशतिदिनसाध्ये सार्धनिष्कं धेनुत्रयं द्वादशदिनसाध्येऽतिसांतपने धेनुद्वयम् । एवं
गायत्रीजपादावपि । तत्र धेनुत्रयम् । द्वादशदिनसाध्येति सांतपने धेनुद्वयम् । एवं गायत्रीजपादाः
विषे धेनुस्थाने गायञ्यायुते निष्कार्धस्थाने पंचसाहस्रीत्यादि बोध्यम् । पंचाहिति पठाशबित्वपद्मानां पर्णान्यौदुंबरेऽस्मिन् ।

"अश्वत्थस्य च पर्णानि अशेदेकैकशस्तथा। अहोरात्रोपवासश्च पर्णकृच्छ्रः प्रकीर्तितः॥" इति १५ ज्ञाबालेन षट्दिनसाध्ये उक्तः । "कुशपलाशोदुंबरपद्मशंखपुष्पीवटब्रह्मसुवर्चलापत्रैः कंथितस्यांमसः प्रत्यद्मपानं पर्णकृच्छ्र" इति विष्णुना (अ.२४ सू.२३) सप्ताहसाध्य उक्तः । पद्मिवत्वपलाशोदुंबरकुशोदकान्येकैकमभ्यस्तानि ॥ ३१६ ॥

याज्ञवल्कीये ३१७ श्लोकः।

मि. प्. २२४ पर्णकृष्ट्र इति शंखिलिखितो । पंचिद्निसाध्य उक्तः । "एकैकं ज्यहम- २० श्रीयात्पर्णकृष्ट्रो विधीयत" इति यमेनाभ्यासे विशेषोक्तेः । यम इति । समस्तान्येतानि विशेषोक्ते प्रयुक्तानि । पर्णकूर्च इति । तद्यिमशंखिलिखिताविष । फलैरिति । शरीरयात्रा-मात्रोपयुक्तं च तद्धक्षणं । अत्र सर्ववतसाधारणेतिकर्तव्यतापि संध्याननुकानि फलानीत्यत आह । श्रीति । पत्रादीनि । श्रीवृक्षादेरेव तत्कुच्छ्रः पुष्पकृष्ट्यः ॥ २१७ ॥

° याज्ञवल्कीय्रे '३१८ श्लोकः।

मनुनेति । पराशरेण त्रिदिनसाध्योऽपि तप्तकुच्छ्र उक्तः

"षट्पलं तु पिबेदंमिख्यलं तु पयः पिबेत्। पलमेकं पिबेत्सिर्पिस्तदा कुच्छं विभीयते॥" इति । विष्णुना तु दशद्निसाध्य उक्तः

"ज्यहमुष्णाः पिबेदापस्रचहमुष्णं पयः पिबेत् । ज्यहमुष्णं घृतं पीत्वा नाश्रीयादेष तप्तकुच्छ्नः ॥" एष एव शीतः । शीतकुच्छ्नं इति यमेति । पराशरोऽप्येवम् । अयमपि द्वादशदिनसाध्यः । ३० अथान्येऽपि क्रुच्छाः । शंखः

"बिसान्युदकासिद्धानि मासमश्रीत संयतः । सक्तून्वा सोदकान्मासं क्रुच्छ्रो वारुण उच्यते ॥'

''बिल्वैरामलकैर्वाऽपि पद्माक्षैरथ वा शुभैः । मासेन लोके श्रीकृच्छ्नः कथ्यते द्विजसत्तमैः ॥ ''गोपुरीषायवात्रं च मांसं नित्यं समाहितः । वतं तु पावकं कुर्यात्सर्वपापापनुत्तये ॥"

बिष्णुः (२४।१४।१५) "उद्कादिसक्तृनां मासाभ्यवहरणेनोद्कक्तुच्छ्रः । विसभ्यवहरणे शीतक्तुच्छ्रः । उद्यकादाति । उद्कप्रधानानां सक्तृनां । जाबाल्ठः

"अनश्रज्ञलमध्यस्यस्वहोरात्रं जपन् बुधः । संवत्सरक्कतं पापं जलकृच्छ्रो व्यपोहति ॥" जपो वारुणसूक्तानाम् । योगियाज्ञवल्कयः (प्रा. २१२) ।

"वायुभक्षो दिवातिष्ठेदात्रिं नीत्वाऽन्सु सूर्यहक्। सहस्राष्टाधिकां जप्त्वा गायत्रीं जलसंज्ञकः॥" दितीयदिने सूय दृष्ट्वा अष्टोत्तरसहस्रगायत्रोजपं कृत्वा पारणं कुर्यादित्यर्थः । अयं जलक् कुच्छः । तथा "मासोपवासो विज्ञेयो दिनत्रिंशदुपोषणात् ।"

, तथा गोमूत्रक्वच्छ्रः ।

''आतृप्तेश्चारियत्वा गां गोधूमान् यवमिश्रितान् । तान्गोमयोच्छ्रान्संगृह्येत्पचेद्गोमूत्रपावकमिति॥" वारुणक्कच्छ्रं श्लीकुच्छ्रं च यम आह

''ब्रह्मचारी जितक्रोंघो मासेऽप्युद्कसक्तुकान् । पिबेच अर्कद्धारः कुच्छ्रं वारूणमुच्यते ॥ ''इयहं पिबेनु गोमूत्रं त्र्यहं वै गोमयं पिबेत् । त्र्यहं वै यात्रकेनैत स्त्रीकृच्छ्रंस्त्वेतदुच्यते ॥'' इति ' अथैतत्प्रत्याम्नाया तत्र पंचाहसाध्ये सपादनिष्कैक्षेनुः मासिकश्रीकृच्छ्राद्ये सार्धनिष्कं धेनुद्वयं चतुर्दिनसाध्यतप्रकृच्छ्रे एका धेनुर्ब्वहसाध्ये निष्कार्ध द्वाद्शाहसाध्ये धेनुत्रयमिति'' षद-चित्रह्मते । धेनुद्वयमित्यपरार्कभवदेवौ । पादोनधेनुचतुष्टयामिति श्रूलपाणिः । एवं गायत्री-जपादावपि बोध्यम् ॥ ११८ ॥

याज्ञवल्कीये ई१९ श्लोकः।

२० मि. ए. २२५. उक्तमुपपादयति । अत्र चेति । रात्रीस्ता एव । रात्रौ वेति । दिवैवेति । केचिद्दिशेषमाहाऽयाचीति । विशेषमाह येति । अत्र पक्षे आह । यदा त्यिति । तेनैव आप-, स्तंबेनैव । मूलमप्रेऽपि । मूलमतेनाऽहार्धेति । अत्र यतेः पादोनकुच्छ्रकल्पना चिंत्या । अनेन पक्षद्वयेऽपि प्राजापत्यस्यैव कुच्छ्रसंज्ञाऽपि सूचितेति तयोः पर्यायस्वं न तु मूलमताप षोडशदिना- तमकः कुच्छ्रः । एवं च निरुपपदः कुच्छ्रशब्दः प्राजापत्यपर इति बोध्यम । एतेन कुच्छ्रलक्षणं ् भू नोक्तमित्यपास्तं ॥ ३१९॥

याज्ञवल्कीये ३२० श्लोकः।

तदेतत् ध्वनयन्नाह । प्राजापत्यक्कच्छ्रमिति । तत्र तेषां मध्ये । पराक्कमुपवासः । संज्ञांतरमासिश्विति उक्तपक्षत्रयान्यतमपक्षांगीकारेणाह । जपादीति । रौरवेति । सोमे धारयेत्यस्यां
दुहान ऊधीरत्यस्यां चक्रित्रञ्यूचत्वेन गीयमाने सामनी यथाक्रमं रौरवयोधीजपाख्ये नित्यं कर्मी

के विरोधिकालेषु पठेदित्यर्थः । अन्विति । त्रिकालं स्नानमित्यर्थः । मार्जयीतित्युमयान्विय । मार्जनं

मि. पृ. १३६ च स्नानानंतरमेव । उद्कर्तर्पणमित्यनेनात्र एव जले तर्पणं न स्थले इति
गम्यते । तर्पणे नमेत्यादित्रयोदशमंत्राः । तत्रादावंते चरमः शन्दश्रवणाद्भयत्र प्रतस्योगः ।

उपस्थानं तत्साधनं कार्यकारणयोरभेदादेवमग्रेऽपि तर्पणानंतरमुपस्थानं । तत आज्यहोमः । स च लौकिकामिं प्रतिष्ठाप्य एताभ्यो वश्यमाणाभ्यः । ते नव मंत्राः स्वाहाकारांताः । नन्वस्य बहुक्तियत्वा-त्कथमुक्तार्थे संप्रतिपत्तिरत आहाऽतश्चेति । क्षिप्रेति । विशेषणाचेत्यर्थः । उपसंहरति । एव-मिति । एतत्प्रत्याम्नायाः अग्रे स्पष्टाः । अयमित्यस्य व्याख्यैतिदिति । तद्याख्यैकेति । पाणिः । प्रसृतिः । अत्र मौलप्रत्याम्नायो धेनुत्रयमिति ॥ ३२० ॥

याज्ञवल्कीये ३२१।३२२ श्लोकौ ।

चतुर्विशतिमते । शेषमाह । वर्तनामिति । विष्णु क्टिस् । पयोऽत्र जलम् । "चरेत् कृच्छ्रातिकृच्छ्रं तु पिबेत्तोयं तु शांतत्विभिति " ब्रह्मपुराणात् । तच्च प्रातःसायं मध्याह्नेषु प्राह्मम् । एकविंशतिरात्रेषु कालेष्वेतेषु साधयेत् इति तच्छेषात्। यमेन चतुर्विशतिदिनसाध्यमुक्तम्।

''एकैकं पिंडमश्रीयात् ज्यहं कल्प्यं ज्यहं निशि । अयाचितं ज्यहं पिंडं वायुमक्षस्क्रयहं परम् ॥ १०

''अतिकृच्छ्रं चरेदेतत् पवित्रं कायशोधनम् । चतुर्विशतिरात्रं तु नियतास्मा जितेन्द्रियः ॥

"कुच्छातिकृच्छुं कुर्वीत एकस्थाने दिजोत्तमः ।" इति कल्पे प्रातः । एकमके यावत् । एकस्थाने इति एकदेवोक्तातिकृच्छुद्येनैकः कृच्छ्रातिकृच्छ्रो भवतीत्यर्थः । अनुवृत्तेराह । द्वादशिति । यमेन गासविधानादत्रापि पर्णपुटादिना तत्परिमाणं बोध्यम् । व्यवस्थेति । एवमग्रेऽपि बोध्यम् । मूलमते पयोद्धाधिमिति मदनाद्युक्तं एकमकादिनवदिनेषु यो भोजनकालः तत्रैवोदकेन १५ वर्तनिमिति माधवाद्यक्तं चापास्तम् । अत एवोपवासदिनत्रये जलग्रहणाय ग्रहणयोर्विगति- पत्तिरपि न । अत्र षट्धेनवः प्रत्याम्नायः । पंच त्रयश्च यथायश्चं पराकप्रत्याम्नायः । पंचधेनव इति भि. ए. ३३० श्रूलपाणिद्वे इत्यपरार्कभूवदेवौ तिस्र इति षट्तिश्वन्मतम् । पिण्याकं तिलये प्रीतिप्रसिद्धं षट्दिनसाध्योऽयं सौम्यकुच्छ्रप्रत्याम्नाय एका धेनुरिति केवित् ॥३२१॥३२२॥

याज्ञवल्कीये ३२३ श्लोकः।

अर्थोचितासौम्यक्रच्छ्रवितत्वेन कृतत्वादाह । पिण्याकादीनामिति । व्यहं द्वयं । व्यहं
 व्यहमिति पाठांतरम् । अष्टदिनसाध्यं तु यत्नात्युरुषांतरं स्मर्यते

"पिण्याकं च तथा चामं तकं चोदकसक्तवः । त्रिरात्रमुपवासश्च तुलापुरुष उच्यते ॥" इति । एषां व्यवस्था प्राग्वत् । अत्र प्रत्याम्नाया यथायथूमुक्तरीत्योद्धाः । अत्र हारीतेति । तथा हि अथ।त• स्त्रिनयनोक्तस्य तुला पुरुषस्य कल्पं व्याख्यास्यामः

"अत्राज्यायाजनं कृत्वा मात्रं मूत्रपुरीषके । अप्रतिग्रहमादाय याजयित्वा तु निंदितान् ॥ "विनायकोपमृष्टस्य महाव्याधिहतस्य च । एतत्कृच्छ्रं तुलापुरुषं महापातकनाञ्चनम् ॥ "स्वर्गद्वारमिदं पुण्यं महादेवेन निर्मितम् । आचाममंथपिण्याकं तकं चोवकसक्तुकान् ॥ "इयहं ज्यहं प्रयुंजानो वायुमक्षस्रग्रहं परम् । वाक्पाद्वेलरजोमिर्हताहिनिवृतानि च ॥ "आचामस्तानि निर्हिति नवश्राद्धं च सुतकम् ।

"तेलस्य दारुणं किंचित् केशकीटं हतं च यत्। प्राश्य मूत्रपुरीषं च ब्रह्महा स्पष्टमेव च ॥ "पिण्याकं तानि निहीति अस्थि मित्वा तु यत् स्थितम्। आचामेषु च ये दोषाः स्नेहदोषाश्च ये कचित्॥ "सरोष्ट्रमुलसंस्पृष्टं मद्यसंस्पृष्टमेव च । तकेण तानि निहीति पंचाबाढावळोकितम् ॥ .4

"कनकाश्च तिला गावो भूमिराच्छाद्नं श्चियः । सर्वे पुनाति धर्मात्मा गूढं चोद्कसक्तुमिः॥ ब्रह्महत्या श्रूणहत्या सुवर्णस्तेयं सुरापानं गुरुदाराभिगमनं कन्याद्रूषणं क्वीबाभिगमनं वायुमक्षः पुनाति तत् ।

"गंधोशीरमयो कार्यो पुरुषोपलसंमितो । नदीमृत्तिकपानापि पुरुषोदो तु कारयेत् ।।
"महापशुर्येन शरेण विद्धो यचापि पशुमुनयोर्लन्धलक्षं ।
तेनायसीं सुकृतां कारयित्वा प्रादेशमात्रामुभयोक्त्रांतशिक्याम् ॥
"सोवणीं राजतीं वाऽपि तुलां देवीं तु कारयेत् । अप्रि चंदनवृक्षस्य खिद्रस्यापि कारयेत् ॥
"तस्यालाभे तुला कार्या यथा वा ह्युपपद्यते "। यः पुरुषः पिंगलो बश्रुईलमुशलचकपाणिस्त्वमहं पुरुषं पिंगलं बश्रुं हलमुशलवज्रपाणिमावाहयिष्यामि सुस्त एहि नाग एहि कृष्णासिन
• एहि । स्वागतमनुस्वागतं भवते तुलापुरुषाय महादेवाय इदमर्व्यमिदं पाद्यमिद्माचमनीयमिद्मासनं

अथ तुलामिमंत्रयेत् । ऋषिः सत्यदेवसत्यं ब्रह्मसत्यं यत्सत्यं तेन सत्येन सत्यवादिनि । "देशानां संपदं ब्रूहि कं देशं वर्द्धयिष्यसि । बीजानां संपदं ब्रूहि किं बीजं वर्द्धयिष्यसि ॥ "संज्ञां च संपदं ब्रूहि कं नृपं वर्द्धयिष्यसि । अस्माकं संपदं ब्रूहि किमस्माकं भैविष्यसि ॥ "यदास्य गुरुमात्मानमसकुत्तुलया धृतम् । परं चैव लघुं मन्ये तदा कर्म समाचरेत् ॥"

अग्रये पृथिव्यधिपतये स्वाहा । सूर्याय दिवोधिपतये स्वाहा । सोमाय नक्षत्राधिपतर्ये स्वाहा । कुंबराय यज्ञाधिपतये स्वाहा । इंद्राय देवाधिपतये स्वाहा । ब्रह्मणे त्रैलोक्याधिपतये स्वाहा । देव्यै भगाधिपतये स्वाहा । शालकटंकटायन्स्वाहा । कुष्मांडराजपुत्राय स्वाहा । महाविनायकाय वक्र-तुंडाय गणानां पतये स्वाहा । धर्माय स्वाहा । अध्माय स्वाहा । तुलाये स्वाहा । तुलाये स्वाहा । तुलापुरुषाय स्वाहा । प्रजापतिदेवाय महद्भिः सदैव पुनरागमनाय स्वाहा । सक्चचिरत्वा शुचिः कर्मणो भवति विश्व-त्वारिस्वा गाणपत्यमवामोति त्रिः कुत्वा महादेवस्याधीसनं प्राप्नोति । आषाक्यां कार्तिक्य-फाल्गुन्यां पुण्ये वा नक्षत्रे एषां विहितो धर्म इति ॥

यमः "अथातो भगवतस्तुठापुरुषस्य कल्पं व्याख्यास्यामः ।

मे प्रसीद गंधमाल्यधूपदीवं प्रतिगृहापापदेनो महारुद्रः सुमना भव ।

"अभक्ष्यभक्षणं कृत्वा विकर्मकरणं तथा । प्रसूतानां द्विजातीनां संकीर्णासु च योनिषु ॥ ५ संक्रीर्णयोनिषु प्रतिलोमयोनिषु । तथा निषिद्धंयोनिषु च प्रसूतानामुत्यादितापत्यानाम् । "प्राह्य मूत्रं पुरीषं च भोजयित्वा च निंदितान् । अगम्यागमनं कृत्वा दूषायित्वा च कन्यकाम् । "विनायकोपसुष्टस्य महाव्याधिहतस्य च । स्वर्गमार्गाविलंबस्य स्वयोद्धाः।। "हदं यंत्रं दुराधर्षे महापातकनाशनम् । स्वर्गद्वारमिदं श्रेष्ठं महादेवप्रचोदितम् ॥

''वाजनोभ्यां च कायेन यानि पापानि देहिनः। आचामस्तानि निर्हति नव श्राखं च सूतकम्। • ''तैलस्य दारुणं किंचित्केशपक्षिहतं च यत्। पिण्याकस्तानि निर्हति अस्थि मित्वा च यत् स्थितम्॥

'तैलस्य भक्ष्यमाणस्य तथा निषिद्धसेविने । अभ्यंगादिषु योज्यमानस्य दारुणसल्क्ष्मीकरं यत्पापं केशपक्षिहतं केशे यस्युपहतं । अस्थि भित्वा स्थितं । यस्पूर्वकृतं पापं दीर्वकालत्वाद्भूदं संस्थितं तदस्थि भित्वा स्थितमित्युच्यते । "आहारेषु च ये दोषाः सोपि (?) दोषाश्च ये कचित् । तकेण तानि पूतानि श्वभिर्यश्चावलोकितम् "कनकं च तिला गावो भूमिराच्छादनं स्त्रियः । सर्व पुनाति धर्मात्मा तथैवोदकसक्तुभिः ॥ कनकादिप्रतिजनितां पापं पुनातीति न संशयः ।

अथाज्ययाजनं त्रौर्यं कन्यायामथ दूषणम् । यञ्च गोमैथुनात्पापं वायुं पीत्वा पुनाति तत् ॥ आहाराम्रामपि जुहोति आहाराम्रामपि जुहोतीत्यिप शब्दोपादानादाज्यहोमोऽपि गम्यते । ५ अम्रये पृथिव्यिषपतये स्वाहा । वरुणाय पाशािषपतये स्वाहा । महासेनािषपतये स्वाहा । रुद्राय भूतिषिपतये स्वाहा । ब्रह्मणे लोकािषपतये स्वाहा । विष्णवे सर्वीिषपतये स्वाहा । येन देवाः पवित्रेण तुलापुरुषमारुद्ध पुनरुद्धताम् । तमहं पवित्रं पवित्राणां तुलापुरुषमावाहिषिध्यामि स्वाहा ।

करालं पिंगलं त्रश्रुं विश्वरूपमुमापतिं । यो हि वेदात्ततो जातस्त्वमृतं च महामतिः ।

अंभसः पारे भुवनस्य मध्ये नाकस्य पृष्ठे महतो महिमानं महीयते । उदयति यो ब्रह्मासनं १० स नयति पुरायाति कं । यो भोजो ग्रहणजातो मनुजो महाध्वजः । एकाक्षरं बहु बहुयोजमान् वर्णप्रधानं बहुधा विश्वरूपः प्राणात् विहितोभिहितो विश्वरूपंणो नमो नम इति । स्वागतं भवते तुटापुरुषाय इदमासनमास्यतां भगवते । ततः पाद्यार्षाचमनमनुहेपनमाज्यदीपधूपनैवेवैध्वाभ्यर्च्यं भगवंतं सपत्नीकं सपार्षतं पशुपतिमभ्यर्चयेत् । सपार्षतं सगणं । धूपमंत्रश्च भवति

"वनस्पतिरंसो नित्यं गंधाढ्यो गंधसत्तमः । आहारः सर्वभूतानां धूपोऽयं प्रतिगृह्यताम्" ॥ १५ क्संतित्रायं धूपमंत्रः । अथ तुल्यं मवति महापशुर्येन शरेण विद्धो यचापि शस्त्रमुभयोर्छन्य- लक्षेतेनायसीतुलां सुकृतां कारियत्वा त्रिप्रादेशमात्रामुभयोर्जातशिक्यां महापशुर्महाभुजः । यच्छस्य- मुभयोर्छन्यलक्षं उभयोरायंताभ्यां प्रहृतलक्षम् । आयंतयोस्तीक्षणं साद्विद्धमृगादिकं । अथवा उभयोः पार्श्वयोः प्रहृतलक्षं धाराद्वयेन प्रहृतलक्षं खद्गादिकं एवंविधेन लोहेन प्रादेशत्रयप्रमिता तुला कार्येत्यर्थः । उभयोर्जातशिक्यां पार्श्वदुरुकृतशिक्यां ।

''सौवर्णी राजता वापि तुुुुळा देवी तु सा स्मृता । अथ चंदनष्टक्षस्य खिद्रस्याथ कारयेत्॥ ''एतेषामप्यभावे तु तुळाऽन्या योपपद्यते । प्रतिमा चांदनी कार्या एकेव स्वश्रसंज्ञिता॥ ''उज्ञीरस्यापरा कार्या तथा नरकसंज्ञिता । नदीमृत्तिकया वापि प्रतिमे द्वे तु कारयेत्॥

"विहिते स्पिलिप्ते च तत्र बीजानि स्थापयेत्" ॥ विहिते न्यूनाधिकरिहते । हारीतोक्तपल-परिमाणोपेत इति यावत् । सूपिलिप्ते पृष्ठतः सुसंस्पृष्ट इति मंजर्याम् । पृष्ठमागे अवयविभागो रूप् यथा न जायते तथा समींकृते इति तात्पर्मार्थः । तत्र तत्स्थापनं प्रदेशे बीजानि बीह्यादि-बीजानि स्थापयेत् ।

"अदितिस्तु तुला माता स्वयंभूर्जिनिता भव। त्वं हि सत्यं च धर्मश्च त्विय लोकाः प्रतिष्ठिताः॥ "सत्यं वद सत्यवादिनि सत्येन रमतां मान्*। सस्यानां संपदं ब्रृहि किं सस्यं वर्द्धियण्यसि॥ "बीजानां संपदं ब्रूहि किं बीजं वर्द्धियण्यसि। राज्ञां च संपदं ब्रूहि कं नृपं वर्द्धियण्यसि॥ "अस्माकं संपदं ब्रुहि किमस्मान् वर्द्धियण्यसि।

"यदा तु गुरुमात्मानमसकुतुलया घृतम् । परं च लाघवं मन्ये ततः कर्म समारमे ॥ "एतेनैव तु कल्पेन ब्राह्मणस्य विधीयते । राजन्यवैश्ययोश्चेव काष्ट्रप्रतिकृतस्मृते*" ॥

प्रायश्चित्त-याज्ञवल्कीय

परंच छाघवं मन्ये परशिक्यारोपितमञ्मादि छघु यदा भवतीति स्मृतिमंजर्द्या **=्या**ख्यातम् । यदा तु गुरुमात्मानमित्यादेरयमर्थः । अत्रासक्कत्तुरुया धृतमित्याभिधानात् तथा 'राजन्यवैरुययोश्चैव काष्ठप्रतिकृती स्मृत'हत्युक्तत्वाद्गंधादिप्रातिमाद्वयस्योक्तत्वाच स्वप्रतिकृतिरूपं प्रत्येकं परुपरिमितचंदनादिप्रतिमाद्धयं कृत्वा परुपरिमितपाषाणादि एकस्मिन् शिक्ये निक्षिप्य ^५ दितीयशिक्ये स्वप्रतिक्वतिद्वयमपि पृथक् पृथक् निक्षिप्य तोलयेदिति । अत एवासक्वत्तोलनं भवति । त्रिप्रादेशमात्रतुलाविधिरपि प्रतिकृतितोलन एवोपपयते । साक्षात्स्वरूपतोलने तस्या अपर्याप्तत्वात् । तथाश्वेताश्वो गुरुद्क्षिणश्चिता गौर्गुरुपसादो वा नमस्तुळापुरुषायेति . यम इति । यत्किंचिइत्वा गुरुराचार्यः प्रसादनीयः । स एव प्रसादो वा दक्षिणेत्यर्थः । अश्वादिसंपादना-समर्थविषयमेतत् । अत्रानुष्ठानकमः । हारीतवचने तुलानुरोहणानंतरं होममंत्राः पठिताः । श्यमेन तृपक्रम एव । अत्रश्च होमे क्रमो विकल्प्यते । होमं कृत्वा उमामहेश्वरपूजां विधाय तुलाभि-मंत्रणानंतरं महेश्वरः स्थितं प्रतिमाद्भयं तुठां प्रथक् पृथक् पूर्वीक्तविधिनारोपयेत् । ततो वा होमः कर्तव्यः । स्मृतिद्वयेऽपि 'यदा तु गुरुमात्मानमि'त्युपकम्य 'ततः कर्म समारभेदि'त्युक्तत्वात् । तुलारोहणानंतरमेव आचामपिण्याकादिभक्षणादिना वर्तमाचरेत् । अत्र गुरुमित्युपलक्षणं साम्येऽपि कर्तन्यम् । तुलादिन्यप्रकरणे साम्येऽपि दोषयुक्तत्वाभिधानात् । एतच दे।षसंदेहे । दोषनिश्चये १५ तु दैवाल्लयुत्वेऽपि प्रायश्चित्तं कर्तव्यमेव । संदेहे तु लघुत्वे उत्तरत्र क्रियमाणं प्रायश्चित्तं न कर्तव्य-मिति गम्यते । "आत्मानं लाघवं मन्ये ततः कर्म समारमेदिति" हेतूपादानात् । केवलपुण्यो-पार्जनार्थं तुलापुरुषकुच्छ्रइरणे गुरुत्वे साम्ये लघुत्वे च कर्तव्यमेव । विशिष्टस्यैव सुकृतोपादान-हेतृत्वात् । हारीतेन *... थोयमाषाद्यादिकालोऽभिहितः । सोऽपि सुकृतार्थिन एव दुरितोपेतस्य • निमित्तानंतरमेव कर्त्तव्यत्वात् इति ।

अथ यावकव्रतं

"गोपुीषाछ्रवान्नं च मासं नित्यं समाहितः। वर्तं तु यावकं कुर्यात्सर्वपापापनुत्तयो।" इति शंखः।
"गोपुरीषयवाभ्यासो मासमेकं समाहित" इति पाठांतरम् । "गोभक्षणार्थं यवान्दत्वा
तद्नंतरं गोमयमध्यनिःसृतान्यवान् गृहीत्वा चरुवत्मक्केस्तैरेकभक्तनक्तानि कुर्वन्मासं न्येदेतयत्विंवतं यवानामपु साधितानां सप्तरात्रं पक्षं मासं वा प्राशनं यावक" इति तु देवलः ।
भ यदा तु प्राग्वदेव यवानादाय गोमूत्रे पक्त्वा तैः प्राग्वदेव मासातिवर्तनं तदा गोमूत्रयाव इत्रतन्
मित्युच्यते । तदाह योगियाञ्चवरुकः

"आह्य चारियत्वा गां गोधूमान्यवामिश्रितान्। गोमयोत्थाश्च सँगृह्य पचेत् गोमूत्रयान्नकमिति"। एवमुक्तप्रकारेण मासमेकं गासमात्रं क्षीरेण वर्तनं पयोवतं। यत्र वर्ते येन द्रव्येण शरीरयात्रा तद्वत्तस्य तद्यपदेश्यत्वस्य मार्कंडेयसम्मतत्त्वात्।

🥦 अथाघमर्षणव्रतं । मनुः (अ. ११ श्लो. २५९–२६०)

"व्यहं तूपवसेयुक्तस्त्रिरहोम्युपयन्नपः । मुच्यते पातकैः सर्वेस्त्रिर्जापत्वाऽघमर्षणम्॥ "यथाऽइवमेधः ऋतुराद् सर्वपापापनोदनः। तथाऽघमर्षणं सूक्तं सर्वपापापनोदनामिति॥" अत्रैव विशेषमाह विष्णुः "प्रत्यहं त्रिषवणस्नानमाचरेत् । त्रिः प्रतिम्नानम्सु निमज्जन्मम्भ्र त्रिष्मार्षणं जपेत् । दिवा स्थितस्तिष्ठेद्रात्रावासीनः कर्मणोंऽते पयस्विनीं द्यादिति ।" अथैतत् प्रत्याम्नायाः । तत्र यावकवते पयोवते सपंचधेनवः षडुपवासाः प्राजापत्यमिति प्राप्तेयं च षट्कसत्वात् यद्यपि यावकवते प्रतिदिनं यावकभोजनं तथाऽप्युक्तयावकभोजनस्यात्यंतत्क्केशावहत्वादुपवासतुल्यत्वं पयोवते तु पयःपाने क्केशाधिक्यादेका धेनुः । एवं गायत्रीजपाद्यपि कल्पनीयम् । " पाकोत्तरमिषद्गोमूत्रयुक्तयावकपानं कुछ्द्वयसमं सार्धं कुछ्द्वयसममित्यन्ये त्रिंशाचुक्तेर्दशोपवासास्तत्र कुच्छ्रचतुष्ट्यं कुच्छ्राव्वं त्रिंशाद्वेनुसमं उपवासस्थाने एकविप्रभोजनं शक्तौ द्योः गायत्रीसहस्रजपः द्वादशप्राणायामा वा । अत्र प्रायश्चित्तप्रकरणे वतशब्दः सामान्यतो यावकपानवचनः । दिनरात्रिशब्दौ तत्तद्वनावेव उपवाससमिनव्याहारे ह्यहोरात्रवचनौ । अहःशब्दश्चाहोरात्रपर इति व्यवस्था कविद्वका ॥ ३२३ ॥

चांद्रायणम् ।

याज्ञवल्कीये ३२४ श्लोकः।

अस्य योगरूढत्वमाह । चंद्रस्येति । नायं नियम इत्याह । यदा त्विति । अतिदेशमाह । तस्योक्तो विधिः। कुछ्रे इति । कुछ्रे प्राजापत्ये यो विधिरुक्तः 'तिष्टे-दहनी'त्यादि स सर्वोऽस्य बोध्यः । एवं तद्धर्मानतिदिश्य प्रकृष्टसाधारणधर्ममाह । वपनं व्रत-मिति । अर्श आद्यन् । वपनपूर्वे वतं सामित्यर्थः । इदमग्रे स्फुटीभविष्यति । अथ विशेषधर्मानाह । १५ श्वो भूतामिति । पौर्णमासी प्रासोपक्रमातिथि श्वोभूतामाभिछक्ष्य पूर्वतिथौ चतुर्दश्यामुपवसीदि-॰ त्यर्थः । एताभिः तिस्भिः । क्रमेणाह । तर्पणमिति । हविष इति पिंडकरणात्पर्वे तदनंतरमाह । यदेवा इति । होमस्तर्पणं च प्रतिमंत्रं । अंते उक्ताज्यहोमांते । समिद्धिर्यज्ञियकाष्टो-द्भवाभिः । यद्यपि देवक्कतस्येत्येका ऋक् तथापि बहुवचनवलात्कपिंजलन्यायेन त्रिःवे पर्य-सानादानुत्या तिस्रः समिधाहुतयोऽवांतरवाक्यानां षट्संख्या कृत्वा षट् वा पिंडकरणानंतरमाहों २० भूरितिवत्तत्तात्तिथिसंख्याक्यासान्कृत्वा प्रणवादिषोडशभिः प्रातिमंत्रं तद्नुभंत्रणं प्रतिपिंडपक्षांतर-माह । मनसेति । सर्वान् पिंडान् आसाधीति । यावद्त्रं मुसे प्रविशाति तावदित्यर्थः । चतुर्द्दश्यामु-पोषितस्य पूर्णिमादितिथिषु ग्राससंख्यानियममाह । पौर्णैति । एवं पिपीलिकामध्यमुक्त्वा यव-मध्यमाह । विषेति । अत्र ग्रासग्रहणकालश्चंद्रोदयः । स च दिवारात्रौ वेति तदनुसारेण ग्रास-ग्रसनं । तथा च हारीतः "चांद्रमसं चरुं श्रपिस्त्वा नवो नव इति हुत्वा ज्योत्स्नाया चतुःशेषान १५ पिंडान् साविज्यभिमंत्रितान्प्राश्वीयादिति" । ग्रासग्रसनसमये या तिथिस्तद्भूपा ग्राससंख्या । ज्योत्स्नाशब्देन चंद्रोदयो लक्ष्यते । तथा चार्धरात्रोदयेऽपि भोजने न दोषः । आद्रामलेति । तथा च शंखः "आर्द्रामलकमात्रास्तु गासा इंदुवते स्मृताः । तथैवाहस्तपस्तत्र शौचार्थे चैव मृत्तिका ॥

"एकैकं हासयेत् पिंडं कृष्णे शुक्के च वर्धयेत् । उपस्पृशंस्त्रिषवृणमेतचांद्रायणं स्मृतमिति"॥
मौलायुक्तचांद्रायणापेक्षया भिन्नमेव गौतमोक्तं । न तु तत्रैव प्रकारविशेषबोधकमित्याह । ३०
यत्पुनिरिति । विपक्षे बाधकमप्याह । यद्येतिदिति । योगार्थबाधमप्याह । चंद्रेति । तथा चात्र चांद्रायणशब्दो गौणोऽभिमेष्विवेत्यर्थः । कुंडपायिनामयने मासमभिहोत्रं जुहोतीतिविदिति बोध्यम् ॥ ३२४॥

याज्ञवल्कीये ३२५ श्लोकः।

आदिना दिनद्वयमुपोध्यत §जीवयेद्दा त्रिंशदित्यादि। एवं चात्र तिथ्यपेक्षाया गासानियमेन एव्वेच प्रकारे काचित् विशेषसंज्ञा मनुनोक्तेत्याह। मनुना चेति। चरेत् मासमिति शेषः। एवमग्रेऽपि। न्यूनसंख्येति। नवतिसंख्येत्यर्थः। हविष्याण्याह स्मृतिः

"हैमंतिकसितास्त्रिन्नं धान्यं मुद्गास्तिला यवाः । कलापकंगुनीवारवास्तूकं हिलमोचिका ॥ "षष्ठिकाः कालशाकं च मूलकं केमुकेतरत् । कंदं सैंधवसामुद्रे गव्ये च दिशसिपंषी ॥ "पयोऽनुद्धृतसारं च पनसाम्रं हरीतकी । पिष्पली जीरकं चैव नागरंगं च तित्तिली ॥

"कदळी ठवळी धात्री फठान्पिगुंडमेक्षवम् । अतेळपकं मनुयो हविष्यानं प्रचक्षते ॥"
अगिस्तसंहितायां नारिकेळफठं चैवेति। अत्र हैमंतिकपदं वार्षिकधान्यव्यतिरेकः। सितपदेन श्याम१ तुषश्यामतंडुळयोनिंश्वितः । अस्विन्नपदेन स्विन्नानेश्वितः । "हरिद्रागोरसं धान्यं फळं ळवणमीषधिन-"
त्यादिवचनेन दिनांतरेण स्विन्नधान्यभोजनेऽपि दोषाभावात् । कठापपदेन वर्तुळो प्राह्यः । 'कालायस्त्रिपुटो ज्ञेय" इति वैद्यकशास्त्रविधानस्य 'कठापश्च।तिवातुळ' इति प्रकरणीयत्वात् । कंगुकं
गुणिका । नीवारो जळधान्यविशेषः । वास्तूकं छंबपत्रं वाष्मत्वेन प्रसिद्धं । काळशाकं काळवात्वेन
पर्वतप्रसिद्धं ईषत् श्यामपत्रः शाकविशेषः । केमुकेतरत् कंदमित्यन्वयः । केमुकः किडआ इति
१ पृवदिशे प्रसिद्धः कंदिविशेषः । तदितरं तिद्धन्नं सूरणादीत्यर्थः । गौडास्तु 'कंदकं केमुकेतरदिति'
पिठत्वा मूळकमिति व्याचख्युः । पयोऽपि गव्यमेव दिधसंनिधानात् । तितिळी चंचिति शास्त्रे
प्रसिद्धा । अविळीति मध्यदेशे प्रसिद्धा । ठवळी दाडिमी । धात्री आमळकी । अडगुभित्येक्षविशेषणम् । तथा चेक्षरस इत्यर्थः । अतेळपकमिति तेळपकनिषधः । तेनापकं घृतपकं
वा हविष्यमुक्तद्रव्यमित्युक्तं भवति । इदमुपळक्षणं । निषिद्धेतरत्वयमरण्यसंभवं पृष्पमूळफळ१ शाकादिकं सर्वे हविष्यम् । शाकेषु मुख्या किळका कमाचीत्यादि वामनपुराणदर्शनात् । यथा
"हविष्येषु यवा मुख्यास्तदनुविहयः स्मृताः । माषकोद्दवगौरादीन्सर्वाळाभेऽपि वर्जयेत" ॥

अत्र गौरो गुर्जरदेशे प्रसिद्धः । पशुभक्ष्यो मसूराक्वतिरन्नविशेषः । श्वेतसर्षप इत्येके । तन्न । तस्य मक्ष्यत्वे मानाभावात् । आदिपदात् कुलस्य मंड्रकादिसर्वालाभेपीति । अनिषिद्धचीण-कायभावेऽपीत्यर्थः । अत्र यद्यपि जलं नोक्तं तथापि हविष्यस्य जलन्यतिरिक्तमक्षणासंभवादगत्या २५ तदिषि हविष्यं बोध्यम् । अत्र बौधायनः

"यथोक्तवस्त्वसंपत्तौ ग्राह्मं तदनुकारि यत् । यवानामिव गोधूमा वीहीणामिव शांलयः" ॥
अत्र तदनुकारीति घृतामावे नालिकेरादिफलप्रभवस्तेहः । मुद्गामावे नकुष्ठादिः । सेंधवामावे स्वयंकृतलवणादिरित्यर्थ इति केचित् । मन त्विदं प्रतिभाति । पारिभाषिकमध्ये यवा मुख्यास्तदभावे
वीहयस्तदलाभे तद्भिन्नाः पारिभाषिताः । तदभावे गोधूमादयोऽनिषिद्धास्ते दनुकारिभूताः ।

• माषादीनां तु सर्वथा ग्रहणमिति । सावनेति । तथा चात्र चांद्रायणे पूर्वप्रकांतैकाद्श्यादिवतलोपो न तिथिनियमेन ग्रामनियमभावात् । आये तु तिथिनियमेन ग्रासनियमानादृशेकादश्यादि-

वतलोपो न दोषावहः । अन्येन वा तत्कारणीयं न दोष इति चंद्रगत्यनुसरणं विना तादृशसावन-मासानुष्ठेयत्वादिति भावः । एवं चात्रोपक्रमः प्रतिपचेवेति न नियम इति तात्पर्यम् ।

मि. पृ. २३९ विरोधं परिहरति । यतपुनिरिति । तेन हारीतेन । चतुस्त्रिद्धादिक्रमेणास्तमानां हासात्पुनरेकादिक्रमेण वृद्धेश्रतुर्थीं कृष्णैवेत्याह । कृष्णिति । एतेन न त्रिरात्रमित्युक्त्या मुखे एव दाह इति प्रतीयते तथापि स्तनस्य साक्षाचृष्त्यसाधनत्वात्पयस्तत्वाद्ये होमो प्रोक्तस्तस्य 'द्रव्यसाध्य- ' त्वादुपस्थितमिति' न्यायेन क्षीरत्यागे नान्याकल्पनाया अन्यथात्वात्तत्रत्यं क्षीरं गृहीत्वा या ते सोमेत्यादिभेत्रेः प्रतितिथि एकेकामाहुतिं हुत्वा पयः पिवेत् । चांद्रायणधर्मातिदेशाचंद्रोदये एव पानमंत्रोहान्याह । या ते सोम पंचमीति । एवममापर्यतं कृत्वा प्रतिपदादि प्रथमा तन्-रित्यादि प्रयोगाः । यथार्था इति । तथा च चतुर्थोद्घाद्शीमध्ये यदितक्षयादि न तथेदमनुष्ठेयम् । तद्शक्तिति । एवं च पूर्वोक्तं शक्तविषयं बोध्यम् ।

अथैतत्प्रत्याम्नायाः । तत्रायचांद्रायणद्वयस्य मूलोक्तस्य गौतमोक्तस्य चाष्टघेनवः समृद्ध-धनस्य "अष्टौ चांद्रायणे देयाः प्रत्याम्नायविधौ सदेति" चतुर्विशातिमतात् वृषभसिहता गौश्चात्र दक्षिणा सार्धं सप्तधेनवो मौलस्येति शुलपाणिः । अल्पधनस्य तु तिस्रः ।

"प्राजापत्ये तु गामेकां प्रतिकृच्छ्रे द्वयं स्मृतं । चांद्रायणे पराके च तिस्रस्ता दक्षिण। तथेति"

पराशरात् । स्वल्पेति । कर्तव्यतासहितयोरपीदं । तदभावे निष्कादि । यद्वा प्रति- १५ धेन्वयुत्गायत्रीजपः । धेनुसंख्या उद्वासाः प्राणायामशतद्वयानि वेदपारायणानि तिल्ले होमसहस्राणि द्वादशविप्रभोजनानि तथा स्नानानि । एते विकल्पा न त्रीहिवत् किंतूदितानुदितहोम-वत् । व्यवस्था च देशायपेक्षया । "देशं कालं तथाऽऽत्मानमिति" बौधायनात् (१।५।४७)। तत्र शौचशब्देन शुद्धिसाधनं सर्व । एवमन्यत्रापि बोध्यम् । "यतिचांद्रायणं प्राजापत्यचतुष्टय-सममिति" बृहद्धिष्णुः । एवं शिशुचांद्रायणम्पि पाद्रानचतुष्ट्यधेनुदानमुभयत्रेति श्रूलपाणिः । १० अतिचांद्रायगेऽपि तावदेवेति धेनुत्रयमिति च विंत्यमुपपत्तेरभावात् ।

अथ गोवधव्रतम्। याज्ञवल्क्यः (प्रा. २६३)

"पंचगव्यं पिवेद्गोद्गो मासमासीत संयतः। गोष्ठे शयो गोनुगामी गोप्रदानेन शुद्धचिति"। मासे नवतिमासेन केशाधिक्या यत् किंचिद्धिका च बेनवः सोमायनः। यद्यपीदं प्रागुक्तं तथापि स्पष्टीकियते। इत्थं हि तेन शुद्धचिति।

"कुछूं चैवातिकृछूं च चरेद्वाऽपि समाहितः। द्यात्त्रिरात्रं चोपोष्य वृषभैकादशस्तु गाः॥" अत्र प्रेतचतुष्टयं विहितं। आहारांतरिनरपेक्षेण पंचगव्यं पिबन् । रात्रौ गोशालायां शयानः। प्रातस्ता एव वनं गच्छंतीरनुगच्छन् तिष्ठंतीरनुतिष्ठन् । अन्यैरपि नियमैर्युक्तो मासमासीत। ततो मासांते गा ब्राह्मणाय दत्वा शुद्धतीत्येकं वतम् । पंचगव्याहारव्यतिरेकेण पूर्वोक्तधर्मयुतो मासं प्राजापत्यं कुछूं चरेदिति द्वितीयम्। तथेव प्राजापत्यस्थाने। अतिकृछूं मासं चरेदिति तृतीयम् । ३० त्रिरात्रोपवासं कृत्वेको वृषभो दश गाश्च द्यादिति चतुर्थम्। अत्रेयं व्यवस्था। अज्ञानतो जातिमात्र-ब्राह्मणसंबंधिगोमात्रवधे "द्यात् त्रिरात्रमुपोष्य वृषभेकादशास्तु गा" इत्येतत् । अज्ञानतः क्षत्रियसंबंधि गोमात्रव्यापादेन मासं पंचगव्याशित्वं प्रथमं प्रायश्चित्तम् । अज्ञानतः वैश्यसंबंधि गोमात्रव्यापादेन मासं पंचगव्याशित्वं प्रथमं प्रायश्चित्तम् । अज्ञानतः वैश्यसंबंधि गोमात्रव्यापादेन मासं पंचगव्याशित्वं प्रथमं प्रायश्चित्तम् । मासं प्राजापत्यवतं

कुर्योत् । कामतस्तु तद्द्रिगुण्यं कल्प्यं । अथवा मन्यायुक्तानि व्रतानि पूर्वोक्तेषु विषयेषु विषयांतरेषु देशकालशक्त्यायपेक्षया योज्यानि ।

अथ मासोपवासव्रतं।

चिन्तामणी नारद उवाच

"भगवन् श्रोतुमिच्छामि वतानामुत्तमस्य च । विधि मासोपवासस्य फलं चास्य यथोदितं ॥ "यथाविधा नरैः कार्या वतचर्या यथा भवेत् । आरम्येते यथापूर्वं समाप्यं हि यथाविधि । "यावत्संख्यं च कर्तव्यं तावद् बृहि पितामाह । वतमेतत्सुरश्रेष्ठ विस्तरेण समानवं ॥

ब्रह्मोवाच

"साधु नारद यञ्चेतत्रष्टं चर तपोधनं । याद्दक् मतिमतां श्रेष्ठ तच्छृणुष्व बवीमि ते ॥ "सुराणां च यथाविष्णुस्तपतां च यथा राविः। मेरुः शिखरिणां यद्दद्वैनतेयश्च पक्षिणाम् ॥ "तीर्थीनां च यथा गंगा प्रजानां तु यथा विणक् । श्रेष्ठः सर्ववतानां तु तद्दन्म।सोपवासनं ॥ "सर्वेत्रतेषु यत्पुण्यं सर्वेतीर्थेषु तेन तु । सर्वदानोद्भवं चापि लभेन्मासोपवासक्कत् ॥ ''अग्निष्टोमादिभिर्यरैर्विविधेर्भूरिदक्षिणैः । न तत्फलमवा मोति यन्मासपरिलंघनात् ॥ "तेन तप्तं हुतं दत्तं तपस्तप्तं क्कृतं स्वधा । यः करोति विधानेन नरो मासमुपोषणम्॥ 14 ''प्रविश्य वैष्णवं यज्ञं तेनाभ्यर्च्य जनाईनम् । गुरोराज्ञां ततो लब्ब्वा कुर्वीन्मासोयवासनम् ॥ "वैष्णवानि यथोक्तानि कृत्वा सर्ववतानि च । द्वाद्श्यादीनि पुण्यानि ततो मासमुपाचरेत्॥ "अतिक्कच्छ्रं पराकं च कृत्वा चांद्रायणं ततः । मासोपवासं कुर्वीत ज्ञात्वा देहवळाबळम् ॥ "वानप्रस्थो यतिर्वाऽपि नारी वा विधवा मुने । मासोपवासं कुर्वीत गुरुविप्राज्ञया ततः ॥ "आश्विनस्यामले पक्षे एकाद्रश्यामुपोषितः । वतमेतत्तु गृह्णीयाद्यावित्रंशिद्दनानि च ॥ 20 "वासुदेवं समभ्यर्च्य कार्तिकं सक्छे नरः। प्रासं चोपवसेद्यस्तु स मुक्तिफलभाग्मवेत् ॥ "अच्युतस्य लभेद्रक्त्या त्रिकलं कुतुमैः शुभैः । मालतींदीवरैः पद्मैः कमलैः सुसुगंधिभिः ॥ "कुंकुमोशीरकर्पूरै।विंलिप्य वरचंदनैः । नैवेषधूपदीपायैरर्चयेतु जनार्दनम् ॥ "मनसा कर्मणा वाचा पूजयेद्गरुढध्वजम् । कुर्यान्नराम्चिबद्धर्णबृहद्वीक्तजितेद्रियम् ॥ "नाम्नासेन तथालापं विष्णोः कुर्योद्हार्निशम् । भक्त्या विष्णोः क्ष्सतुर्ति वाऽपि मिथ्यावादं विवर्जयेत्॥ 34 "सर्वसत्वदयायुक्तः शांतवृत्तिरहिंसकः । न सुप्तो वा न संस्थो वा वासुदेवं प्रकीर्तयेत् ॥ "श्रम्तयालोभनगंधादिस्वादनं परिकीर्तनम् । अज्ञस्य वर्जयेत्सर्वे ग्रासानां चाभिकांक्षणम् ॥ "गात्राभ्यंगशिरोभ्यंगं तांबूळं सविलेपनम् । वतस्थो वर्जयेत्सर्व यद्यान्यत्र निराकृतम् ॥ "न वतस्य स्पृहेर्किचिद्दिविधस्था न चालयेत् । देवतायतने तिष्ठेचागृहस्थश्चरेद्वतम् ॥ ''क्कत्वा मासोपवासं तु यथोक्तविधिना नरः । नारी वा विधवा साध्वी वासुदेवं समर्चयेत् ॥ "अन्यूनाधिकमेवं तु वतं त्रिंशहिनैरिदम् । कुत्वा मासोपवासं तु संयतात्मा जितेन्द्रियः ॥ ''ततोऽर्चयेत् वेगुण्यं द्वाद्श्यां गरुडध्वजम् । पूजयेत्पुष्पमालाभिर्गधधूपविलेपनैः ॥ "वस्त्रालंकारवाचेश्च तोषयेद्युतं नरः । स्नापयेच हरिं भक्त्या तीर्थं चंद्नवारिणा ॥ "चंदनेनानुकितांगं धूपपुष्पैरलंकृतम् । वस्रदानादिमिश्चैव मोजयेच दिजीचमान् ।।

"दबाच दक्षिणां तेभ्यः प्रणिपत्य क्षमापयेत् ! विप्रान्क्षमापयित्वा तु विसुज्याभ्यर्च्य पूज्य च ॥ "एवं वित्तानुसारेण भक्तियुक्तेन शक्तितः । एवं मासोपवासं तु कुत्वाऽभ्यर्च्य जनार्दनम् ॥ "भोजयित्वा द्विजांश्चेव विष्णुलोके महीयते ।

"एवं मासोपवासाहि सम्यकृत्वा त्रयोद्श । निर्वापयेत्कृतास्तान्यैविधिना* येन तच्छृणु ॥
"कारयेद्देश्गवं यज्ञमेकाद्श्यां मुपोषितः । पूजियत्वा तु देवेशमाचार्यानुज्ञया हरिस् ॥
"अचियत्वा हरि भक्त्या अभिवाद्य गुरूरंतथा । ततोऽनुमोजयेद्धिमान्मोजयित यथाविधि ॥
"विशुद्धकुलचारित्रान्विष्णुपूजनतत्परान् । पूजियत्वा द्विजानसम्यग्मोजायित्वा त्रयोद्श ॥
"तावंति वस्रयुग्मानि भोजनाच्छाद्नानि च । योगपद्वानि शुभ्राणि ब्रह्मसूत्राणि ते* व हि ॥
"द्याचैतद्दिजाग्रेभ्यः पूजियत्वा प्रणम्य च ।

"ततोऽनुकलयेच्छायां शस्तास्तरणसंस्कृतास् । साच्छादनां शुभां श्रेष्ठां सोपधानामकंकृतास् ॥ १०
"कारयिन्वात्मनो मूर्तिं कांचनीं तु स्वशिकतः । न्यसेत्तस्यां तु शय्यायामचिथित्वा स्नगादिभिः ॥
"आसनं पाइका छत्रं वस्त्रयुग्ममुपानहौ । पितृत्राणि च पुष्पाणि शय्यायामुपकल्पयेत् ॥
"एवं शय्यां तु संकल्प्य प्राणिपत्य चरान् द्विजान्। प्रार्थयेच्चानुमोक्षार्थं विष्णुलोकं व जाम्यहस् ।
"एवमभ्याचितो विषा वदेयुर्वतिनं सदा । वजपूजिननश्रेष्ठविष्णोः स्थानमनामयस् ॥
"ततो विसर्जयेद्विप्रान्प्रणिपत्यानुगम्य च । ततस्तु पूजयेद्भवत्या गुरुं ज्ञानप्रदायकस् ॥ १५
"कृत्वा वासोपवासांश्च निर्वाप्य विधिवनमुने । कुलानां शतमुद्धृत्य विष्णुलोकं वलेन्नरः ॥
"यस्मिन् जातो महापुण्ये कुले मासोपवासकृत् । सर्वपापविनिर्मुक्तो विष्णुलोकं महीयते॥
"नरो मासोपवासानां कर्ता पुण्यवतां नरः । पितृमातृक्कुलाम्यां च समं विष्णुपुरं वजेत् ॥
"नारी वा सुमहाभागा यथोक्तवतमास्थिता । कृत्वा मासोपवासांश्च वजेद्विष्णुं सनातनम् ॥
नारवोवाच

"सुदुष्करमिदं देव मूर्छाग्ठानिकरं चृणां । वतं मासोपवासाख्यं मक्तिं जनयतेऽध्युते ॥ "पीडितस्य भृशं देव मुमूर्षोर्वृतिनस्तथा । त्यागो वाऽनुग्रहो वाऽथ विंतु कार्यं पितामह ॥ ब्रह्मोवाच

"वतस्यं किर्षतं दृष्ट्वा मुमूर्षु वा तपोधनः । दृष्ट्वा तु ब्राह्मणस्तस्य कुर्योत्सम्यगनुग्रहं ॥
"अशृतं पायसे क्षीरमित्थमादसङ्गिशि । यथेह न वियुज्येत प्राणैः क्षुत्पीहितो वती ॥
"वती मूर्छागतं क्षीणं मुमूर्षु क्षुत्पपिहितम् । पावियत्वा पृतक्षीरं रक्षेद्दत्वा फलानि च ॥
"अहोरात्रं च यो नित्यमतस्यं परिपालयेत् । पयोमूलफलं द्त्वा विष्णुलोकं वजेत सः ॥
"एतं मासोपवासस्थमारूढं प्राणसंश्चये । परीक्षेद्ब्राह्मणाश्चया ॥
"नैते वतं विनन्नंति हविविप्रानुमोदितम् । क्षीरोदिधि गुरोराज्ञा अपो मूलफलानि च ॥
"एवं कृत्वाऽभिरक्षेत सगुडं पायसं तथा । पायसेद्रक्षितौ यस्मात्समामोति पुनर्वतम् ॥
"अथ विष्णुवतं विष्णुर्वता विष्णुर्वती तथा । सर्व विष्णुमयं ज्ञात्वा वतस्यं क्षीणमुद्धरेत् ॥
"यदा मुमूर्प्विश्वेष्टं परिग्ठानोऽतिमूर्जितः । तदा समुद्धरेत्क्षीणमिन्छतं विमुस्नोत्थितम् ॥
"परिपाल्य वती देहं व्रतशेषं समापयेत् । यथोक्तद्विगुणं तस्य फलं विप्रमुसोदितम् ॥
"इंद्रियार्थेष्वनासक्ता सदैव विमला मितः । परितोषयतो विष्णुं नोपवासो जितात्मनाम् ॥

^{*} एवं मूले।

"किं तस्य बहुभिस्तीर्थेः स्नानहोमजपवतैः। येनेंद्रियगणो घोरो निर्जितो दुष्टचेतसा॥
"जितेंद्रियः सदा शांतः सर्वभूतिहिते रतः। वासुदेवं नरो नित्यमक्केशं कर्तुमहिति॥
"कृत्वा न्यूनं यथोक्तं तु वैष्णवं पुरुषो वतम्। विष्णुकोकमवामोति पुनरावृत्तिदुर्कभम्॥
"ये स्मरंति सदा विष्णुं विद्युद्धेनांतरात्मना।यं प्रयांति मयं त्यव्यवा विष्णुकोकमनामयम्॥
"विभाते चार्धरात्रे च मध्याह्ने दिवसक्षये। अच्युतं ये क्रीत्यंति ते तरंति भवार्णवम् ॥
"आनांदितो वा दुःखार्तः कुद्धः शांतोऽथवा हिर्म्। योऽनुकीर्तयते विष्णुं स गच्छेद्देष्णवीं पुरीम्॥
"गर्भजन्मजरारोगष्टुःसं संसारवंधनैः। विसर्जयेकरो नित्यं वासुदेवमनुस्मरन्॥
"स्थावरं जंगमे चाप्सु स्थूले सूक्ष्मे शुभाशुमे। विष्णुं पश्यित सर्वत्र यः स विष्णुः स्वयं नरः॥
"सर्वं विष्णुमयं ज्ञात्वा त्रैलोक्यं सन्तराचरम्। यस्य शांता मितस्तेन पूजितो गरुडध्वजः॥
"इति कल्पानुकल्पानां वतानामुत्तस्य च। विष्णुलोकमवामोति प्रसादाचक्रपाणिनः॥
"विधिर्मासोपवामस्य यथावत्परिकीर्तितः। सुतस्नेहान्मुनिश्रेष्ठ सर्वलोकहिताय च॥
"कृत्वा श्रुत्वा चरेद्रक्त्या नरो विष्णुपुरीं बजेत्। नामकाय प्रदातव्यं न देयं दुष्टचेतसे"॥

इति विष्णुरहस्ये मासोपबासव्रतम् ।

''आज्येनैव हि शालामो जुहुयाबाहतीः पृथक् ।श्राद्धं कुर्याद्वतांते च गोहिरण्यादि दक्षिणाम्॥ १५ ''श्लीणां होमो न दातव्यः पंचगव्यं तथैव च । पराशरः

"स्रीज्ञूद्रस्य विशुद्धचर्थं प्राजापत्यं समाचरेत् । पंचगव्यं च कुर्वीत स्नाता पीत्वा शुचिर्भवेत् ॥" स्त्रीज्ञूद्रयोः पंचगव्यस्य विहितप्रतिषिद्धत्वाद्विकल्पः । जाबाक्टेन शालाशौ होमं विधाय 'स्त्रीणां होमो न दातव्य' इति निषेधात् । गृह्याश्चावेव होमनिषेधः । ततश्च स्त्रीज्ञूद्दयोरिप ब्राह्मण-द्वारा लोकिकाशौ भवत्येव । अयं च होमांगहोमः । न तु क्रुच्ळ्रप्रत्याम्नायभूतप्रधानहोमः । २० "आरंभे सर्वकुच्ळ्राणां समाप्तौ च विशेषतः । आज्येनैव हि शालाशौ जुहुयाद्याहृतीः पृथगिति" जाबालेन विशेषोऽभिहितः । क्रुच्ळ्रप्रत्याम्नायभूत्योस्तु प्रधानयोर्जपहोमयोः स्त्रीज्ञुद्दयोर्नाधिकारः । तथा चांगिराः

"तस्माच्छ्दं समासाय सदा धर्मे पथे स्थितम् । प्रायश्चित्तं प्रदातव्यं जपहोमविवर्जितम् ॥" अत्र शूद्रशब्दः स्रचुपलक्षणार्थम् । तयोः समानधर्मत्वात् । बौधायनः (ध. मृ. ३।८।४) ३५ "अहतं वासो वसानः"

"सावित्रीं व्याह्नतींश्चैवं जपेदष्टसहस्रकम् । ओंकारमादितः कृत्वा रूपे रूपे यथा ततः ॥ "भूमौ वीरासने युक्तः कुर्याज्जाप्यं सुसंयतः । आसीनः शल्यविद्धो वा पिबेद्गव्यं पयः सद्धत् ॥ "गव्यस्य पयसोऽलामे गव्यमेव मवेद्दिषे । द्व्रोऽलामे भवेत्तकं तकामावे तु यावकम् ॥ "एषामन्यतमं यत्तु उत्पयेत चं तत् भवेत्।" शल्यविद्धो वेति वाशब्द उपमार्थे । शल्य-

विद्ध इव निश्चलः सन्नासीनः पयः पिवेदित्पर्थः । ये तु प्राणाग्निहोत्राधिकारिणस्तेषामपोशन-कर्मानंतरं प्राणाहुतयोऽपि पंचभिर्वासैर्भवंति । तत्र पूर्वोक्तप्रणवगायञ्याचन्यतमैर्मेत्रैर्प्रासानाभिमंञ्य प्राणाय स्वाहेत्यादिभिर्मन्त्रैः प्राणामौ होमः कार्यः । यदा त्वेकद्वित्रिचतुरो बाधास्तत्र बौधाय-नोक्तो विशेषो माह्यः । तद्यथा । "अश्रीयात्माणायेति प्रथमामपानायेति द्वितीयां व्यानायेति वृतीयामुदानायेति चतुर्थौ समानायेति पंचमं । यदा चत्वारस्तदा द्वाभ्यां प्रथमं यदा त्रयस्तदा द्वाभ्यां द्वाभ्यां पूर्वौ यदा द्वौ तदा द्वाभ्यामेवोचरमेकं सर्वैरिति" । अस्यार्थः । यदा चत्वारो मासा भक्ष्यन्ते तदाऽबद्वितीयाभ्यां प्रथमं मासं मसेत् । वृतीयेन द्वितीयम् । चतुर्थेन ५ वृतीयम् । पंचमेन चतुर्थम् । यदां त्रयस्तदाऽबद्वितीयाभ्यां प्रथमं वृतीयचतुर्थाभ्यां द्वितीयं पंचमेन वृतीयं । यदा द्वौ तदादिताश्चिभिः प्रथममामिमाभ्यां द्वितीयं यदेकस्तदा सर्वैस्तदास

याज्ञवल्कीये ३२६ श्लोकः।

सौरिभिरुश्वन्नदेखादिऋगिभः । तेनैव । मनुनैव । न्यूनतामंगेषु निराचष्टे । एतानि १० मि. पू. १४० चेति । तत्फिलिनमाहाभ्युदेति । सिते सित दशस्थानान्याह । भस्मेति । पूर्वेशुर्निशासामुसे पर्षदुपदिष्टाविधिना संकल्प्य परेशुस्त्रिषस्तवैति स्नानं प्रतिहोमाद्यंगकळापसहित- मि. पू. १४१ मनुतिष्ठेदित्यर्थः । अत्र मानमाह । ग्रामादिति । निवृत्तिः पापात् । अनु-किर्तिनं विष्णोः ॥ ३२६ ॥

याज्ञवल्कीये ३२७ श्लोकः।

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उक्तिति बहुवीहिः । पौनरुक्तं परिहरति । दुरितमिति । निरपेक्षत्वे चांद्रायणांशे मानमाह । गौ तेति । तत्कुच्छ्रातिकुच्छ्रे सूचितस्यानुषंगोत्र अग्रेपि । अत एवाह । केवछेति । गवामिति । अत्र वतचतुष्टयं भिन्नं । तेनैव । मृनुनैव । इह शास्त्र । मूलादितात्पर्यार्थमाहैतानि चेति । विशेषमाह । तथेति । तेनैव गौतमेनैव । तत्वमुपपादयति । न चेति । न हीत्यर्थः । उपसंहरति । किंचिद्रक्तु । तस्मादिति । तथा च बाध्यबाधकमावे २० भौतिभावः । तमेव योजनाप्रकारमाहः। तत्रेत्यादिना । तत्र तेषां मध्ये । तावंत्यः षष्टचाधिक-शतत्रयमिताः । तुल्यं संपूर्णम् । इदमपि द्भावदेव । तदसंभव आह । मूराशीर्थीमति । निष्कं ्सुवर्णाश्चत्वारः । इदमपि तावदेव उक्त**यमगौतमादि**त एव तावंतः घेनुमिताः । क्रुच्छः प्रोजापत्यं । उद्वासः उद्क्वासः । स चाहोरात्रं । विरोधं परिहराति । यत्त्विति । नानुकण्य इत्याह । न पुनरिति । वेदपारायणं संहितामात्रपारायणम् । अत्र विधिरुच्यते । स्थण्डिलं ^{२५} कल्पयित्वाऽग्रिमुपसमाधाय संपरिस्तीर्याज्येनैताभ्यो देवताभ्यो जुहोति । अग्नये सोमार्येद्राय विश्वेभ्यो देवेभ्य ऋषिभ्यां ऋग्भ्यो यजुभ्यः सामभ्यः श्रद्धायै प्रज्ञायै मेधायै धारणायै श्रिये ह्रिये साविज्ये सवित्रे प्रजापतये कांढऋषये सोमाय कांढऋषये अग्रये कांढऋषये विश्वेभ्यो देवेभ्यः कांडकिषभ्यः साहितीभ्यो देवताभ्य उपनिषद्भवो याज्ञिकीभ्यो देवताभ्य वारुणीभ्यो देवताभ्य उपनिषद्भ्यो हब्यवाहाय विश्वेभ्यो वारुणेभ्योऽनुमत्यै स्विष्टकृते च पृथक् 🦫 प्रथक स्वाहाकारेण हुत्वा व्याह्नतिभिश्च पुनः परिषिचिति समाप्ते चैता यजुषा तर्पयंति । एवम्रुग्वेदस्य

पायश्चित्तं-याज्ञवल्कीय

कांडक्रष्यादि वर्जमास्विष्टकुतस्तेषां स्थाने शतर्चिभ्यो माध्यमेभ्यो गृत्समदाय विश्वामित्राय वामदेवाय यात्रये भरद्वाजाय जामदग्न्याय गौतमाय वसिष्ठाय प्रगाथेभ्यः क्षुद्रसूक्तेभ्यो महासूक्तेभ्यो महानाम्नीभ्य इति । ततो वेदादिमारभ्य संततमधीयीतेत्याह भगवान्वौधायनः ।

इति वेदपाराणविधिः।

अथ वेद्पारायणे कलशप्रतिष्ठापनादिपकारः।

"तीर्थे देवालये गेहे प्रशस्ते सुपरिष्कृते । कलशं सुदृढं तत्र सुनिर्णिकं विभूषितम् ॥
"पुष्पण्डवमालाभिः कुंकुमैश्चंद्नादिभिः । मृतिकायवसंमिश्रा वेदिमध्ये न्यसेत्ततः ॥
"पंचाशाद्धः कुशैः कार्यो ब्रह्मा पश्चात् मुखस्थितः । स्नापितः स्थापितः कुंभे चतुर्वाहुश्चतुर्भुजः ॥
"वत्स जान्वाकृतिं वेदमुत्तराग्रैः कुशैः कृतम् । ब्रह्मोपदाने दत्वा तं ततः स्वस्त्ययनं पठेत् ॥
"प्रतिष्ठां कारयेत्पश्चात्पूजाद्वयमथोच्यते ।
"क्षणानित्रे वेवेदसम्बंदनकं स्थैः । सक्षणानीयवान्त्रे स्थितः प्रिवाणनम् ॥

"यज्ञोपवीते नैवेयवस्रचंदनकुंकुमैः । स्रक्षूपदीपतांब्र्जेरक्षतैश्च पितामहम् ॥ "ब्रह्मजज्ञानमिति वा गायञ्या वा प्रपूजयेत् । उपाध्यायं च संपूज्य यथापाठं पठेत्ततः ॥ इति वेदपारायणे कलराप्रतिष्ठादिप्रकारः ।

अथाऽनश्रन्पारायणाविधिः ।

अथातोऽनश्रन्पारायणविधिं व्याख्यास्यामः । आसमाप्तेर्नाश्चीयाद्यथाज्ञाक्ति वाऽऽर्पः पयः 94 फलान्योदनं वा हविष्यमात्रपन्नचभुवःवा तद। रोषमधीयीत । यामान्त्राचीमुदीचीं वा दिरामुपक्रम्यः-ग्निमुपसमाधाय परिस्तीर्येध्मं प्रदाक्षाज्येनैताभ्यो देवताभ्यो जुहोति । अग्नये सोमार्येद्राय प्रनापतये बृहस्पतये विश्वेभ्यो देवेभ्यो ब्रह्मणे ऋषिभ्य ऋग्भ्यो यज्ञभ्यः सामभ्यः श्रद्धायै मेधार्ये प्रज्ञाये धारणाये सद्सस्पतये अनुमतये श्रिये ह्रिये साविज्ये सवित्रे प्रजापतये २० कांडऋषये सोमाय कांडऋषऋषयेऽग्रये कांडऋषये विश्वेभ्यो देवेभ्यः सांहितीम्यो देवताम्य उपनिषद्भचो याजिकीम्यो देवताम्य उपनिषद्भचो वारुणीम्यो देवताम्य । उपनिषद्भचो हन्यवाहनाय विश्वेभयोऽरुणेभ्योऽनुमत्यै स्विष्टकृते च पृथक् स्वाहाकारेण हुत्वा व्याहृतीभिश्च पुनः परिषिंवति समाप्ते चैता यजुषा तर्पयति । एवमूग्वेदिनां कांडऋष्यादि-वर्जमास्विष्टकृतस्तेषां स्थाने शतर्चिन्यो माध्यमेभ्यो गृत्समदाय विस्वामित्राय वामदेवात्रये भ्रत-६५ द्वाजाय जामदश्रघाय गौतमाय वसिष्ठाय प्रगाथेभ्यः क्षुद्रशक्तेभ्यो महासूक्तेभ्यो महानाःश्रीभ्य इति । ततो वेदादिमारभ्य संततमधीयीत । यदंतरा विरमेत् त्रीन् प्राणायामानायम्य प्राणवं वा प्रविधाय यावत्कालमधीयीत ततः सर्वे निशो निशांतरसंग्रामारण्यसलिलं लोप्य पर्सिद्ध्यात्। आदावंते च बाह्मणभोजनं दक्षिणादानं च द्यात्। य एतेन विधिना वेदमधीर्यक्रेत स ततः पूतो वेदो भवति मनःशुद्धिश्च भवति द्वाभ्यां पारायणाभ्यां ऋग्भिश्चामीजन इहाधीते । अन्तिभयाः ३० प्रमुच्यते त्रिभिर्बहुभ्यः पतनीयपातकेभ्यः शृद्धायां रेतः सिक्त्वा गंगाप्सु निमअंश्र्य भवति चतुर्भ्यः शूद्रान्त्रभोजनात्त्स्तेवनात्त्रत्त्रीसेवनाच पंचिभरयाज्ययाजनात्पूतो भवाति । अग्राह्मग्रहणात् बाह्याग्रहणात् । असत्योपासनाचं षड्भिबीह्मणस्य ठोहितकरणात्स्रीलोहितकरणात् पशुहनना-

रसुवर्णस्तेयाचातिसंप्रयोगाच सप्तभिः प्राजापत्य इहानाचरणाद्य होपवेधनाच । अष्टभिश्चांद्रायणस्यानाचरणाद्वुरुतल्पगमनाद्रजस्वठागमनाच । नवभिः सुरापानादिसोमपानात् द्वाद्शभिः पूर्व-जन्मेहजनमकुतैः सर्वपापैविपः प्रमुच्यते । स्वर्गं गच्छति पितृंश्च स्वर्गछोकं गमयति अग्निष्टोमादी-न्कत्न्यजति तैः क्रतुभिरिष्टं भवति ।

वेदाध्यायी सदैव स्याद्पाप्मा सत्यवाक्छुचिः । यं यं कामयते कामं तं तं वेदेन साध्येत् ॥ ५ असाध्यं नास्ति यत्किंचिद्वाह्मगो हि फलं महत् । ब्राह्मणो हि फलं महिद्ति । समिप्ते चैता यज्जुषा तर्पयतीति समिप्ते यजुर्वेदपारायणे समिप्ते । एता देवताः पूर्वोक्ता अग्नि-सोमाद्याः । यज्जुषा तर्पयति यजुर्वेदेन सह तर्पयतीति यजुर्वेदपारायणे तस्य वेदस्य प्राधान्य-मुच्यते । अथवा भूरादिव्याहृतिचतुष्टयात्मकं यजुःशब्देन गृद्धते । तेनैतदुक्तं भवति । नाशुचि-हेतुभूते हत्यर्थः । नांतरा व्याहरेदिति । उपकांते वेदपारायणे मध्ये न व्याहरेन्नाध्यापयेत् । १० तथा लौकिकवचनमपि न बूयात् । विदित्तनित्यनैमित्तिककर्मानुपयुक्तमुक्तिं न कुर्यादित्यर्थः । निशो निशांतरं संग्रामारण्यसिल्लं लोप्प परिद्ध्यादिति । लोप्प द्वित्वापरिहाथवर्जयित्वेति यावत् । परिद्ध्यात्समापयेत् । निशांतरं निशीधा संध्या वा । सिल्लं द्विष्ठिद्वर्चिति । वेदो भवतीति । वेदो भवतीति वेदात्मको भवति । उत्कृष्टज्ञानवान् भवतीत्यर्थः । द्वाभ्यां पारायणाभ्यां ऋषिश्चेति । ऋषिः १५ पावमानिभिः पारायणद्वयं पावमान्यश्च मिलित्वोक्तफराय कल्पंत इत्यर्थः । एवमुत्तरत्रापि पारायण-वयां प्रात्तात्वां साधनं । निमञ्चेश्च भवति । पूतो भवतीत्यर्थः । प्राजापत्यहाना-चर्णं प्रकांतप्रात्राप्तामननुष्ठानम् । एवं चांद्रायणस्यानाचरणम् । यज्ञोपवेधनम् । यज्ञविनाज्ञः ।

इत्यनश्रन्पारायणविधिः।

आहिनेति प्राद्वादश वा । ब्रह्मपुराणमाह । गर्वामिति । भोज्याः। पातकेष्टिस्तथैन च । २० अन्या वा पावमानेष्टिः समान्याहुर्मनीषिण इति गायत्रीदशसहस्रप्रभृतयः सप्तप्राजापत्यप्रत्याम्नाया इत्यर्थः । तत्सभेषु पादेनमाहातीति । अतिदिष्टेष्वर्धमाह । पातकेष्वेवाह । त्रैमासिकेत्यादि- त्रयामिति । तथा च धर्मविवृतौ

"वांद्रायणं मृगरिष्टिः पवित्रेष्टिस्तथैव च । मित्राविद्रापशुश्चैव कुच्छ्रत्रयमथापि वा ॥

"तिलहोमायुतं चैव वराकद्वयमेव च । गायज्या लक्षमेकं तु सामान्याहुर्भनीविण" ॥ इति । २५ विषयामित तदसमर्थस्य प्रत्याम्नायाधिक्यमिति भावः । उत्तरार्द्धं तु अतिकुच्लूस्य द्वाद्शद्भिनाध्यस्य मासाचरणेन तेषामेव संभवात पक्षे मानवे पक्षे मौले ययथहोरात्राद्धिमोजनमध्ये भोजनत्रयनिवृत्तौ सार्द्धापवासः प्राप्नोति तथापि दिनत्रयेऽपि सक्तत्भोजनादिकोपवासपरिकल्पनैव युक्तत्याहैकोपेति । अयाचितेऽपि दिवैकभोजनमिति पक्षेगाह । सार्यंतनेति । गोवधिति । वत वतुष्टयं प्राक्तपदार्शितम् । तत्र।ज्ञानतो जातिमात्रव ह्वा गसंबंधिगोमात्रवये त्रिरात्रमुपोष्य दश गाव एको वृषमश्च मिष्कार्ध देयाः। ३० त्रिरात्रोपवासाशकौ पूर्वोक्ता गावो वृषमश्च निष्कार्धं च देयम् । कामतश्चेद्दिगुगम् ।

अज्ञानतः क्षत्रियसंबंधिगोमात्रव्यापाद्ने पंचगव्यं पिबेत् । गोघ्नो मासमासीत सं ातः गोष्ठे शयो गोनुगामी गोप्रदानेन शुद्ध्यतीति । अनेन प्रकारेण मासं पंचगव्यवतं चरित्वांऽते गां द्यात् । एतत् करणाशकौ वतस्थात्यंतक्केशयुक्तत्वेन वतप्रत्याम्नायत्वेनाष्टौ गावः । एकां वतांते चेत्येवं नेवधनवो देयाः । "अष्टौ चांद्रायणं देयाः प्रत्याम्नायविधौ सदेति" उक्तेः । बहुक्छेशसाध्यत्वान्माससाध्य-त्वाच समानविषयत्वेन युक्तमष्टधेनुपरिकल्पनम् । कामतस्थेत् षोडश घेनवः । एका च दक्षिणात्वेनेति सप्तदश गावः ।

भ अज्ञानतो वैश्यतंबंधिगोमात्रव्यापादने मासमितिकुळूं कुर्यात् । एतदाचरणाशकौ द्वादश-दिनसाध्यपाणिपूरणात्रभोजनयुकातिकुळूपत्याम्नायत्वेन गोद्वयदानस्यातिकुच्ळूपत्याम्नायपकरणं दिनिसाध्यपाणिपूरणात्रभोजनयुकातिकुळूपत्याम्नायत्वेन गोद्वयदानस्यातिकुच्ळूपत्याम्नायपकरणं दिश्चितत्वादत्र मासातिकुच्ळूं पंच गावो भवंति। किंचित् भोजनत्रययुक्तस्य द्वादशदिनसाध्यातिकुच्ळूस्य करणाशकौ तिस्रो गावो विहिता इति माससाध्ये कुच्ळू सप्त गावो निष्कार्द्धं च देयम् । उभयत्र कामतो द्वैगुण्येन कमेण दश् पंचदश भवंति । गवाममावे मासप्राजापत्यातिकुळ्प्रत्याम्नाय-१० प्रकरणोक्ताः प्रत्यामनायाः शकायपेक्षया कर्तव्याः ।

अज्ञानतः ज्ञूद्रस्वामिगोमात्रस्यासावने मासप्राजापत्यविधानात्तद्वरुक्ते गोद्धयं निष्कार्द्धत्वं चेयम् । कामतः पंच गावः । तदशक्तावितरे पूर्वोक्ताः प्रत्याम्नाया इति । मासोपवासे तु बहुवास-तुल्यप्राजापत्यप्रत्याम्नायत्वेन "प्राजापत्ये तु गामेकामिति" विधानात् । पंच गावो भवंति जपनियमाद्यनेकेतिकर्तव्यतोपेतमासत्रते तु क्केशाधिक्योपेतचांद्रायणत्रत इवाष्टौ गावः कल्प्याः । भि मौनेतिमासं पंचगव्याशनेऽप्येवमेव । पराकाति । पराकाद्यशक्ते प्राजापत्यत्रयं सांतपनाशक्तौ सार्द्धं प्राजापत्यामित्यर्थः । उपसंहरति । पत्तिति । विरोधं परिहरति । यत्पुनारिति । एवमभेषि । विरिनगमाविष्हा एकत्र मासीति जल्पपपाद्यति । वचेति । ततस्त्रीगमनविषये इत्यर्थः । विशेषमाह । यस्तिवति । स्मृत्यं चतुविंशतिमतं । कुच्छ्रं प्राजापत्ये । सर्वत्रेति । तथा च वृत्तिदिनं पंचिक्तिये पंचदशवृतीये त्रिंशत् । तप्तकुच्छ्रे चतुर्थे चत्वारिंशत् । पंचमे षष्ठिः षद्धिंशतिः सप्तमे चतु- । विशेषिति भावः । आद्ये आहाऽत्र चेति । आद्ये ईत्यर्थः । द्वादशिति । समुदितस्थाने द्वादश न प्रतिदिनं समानीत्युक्तेरिति भावः ।

अथ तीर्थप्रत्याम्नायाः । अत्र समूलकुणदर्शनार्थमादित्यपुराणोक्तं किंचिछिल्यते "पांडवे राज्यलोभाय दुरितोपशमाय च । श्रीकृष्णनारद्व्यासश्रीकंठेद्राजरोमस्यैः (?) ॥

"माई हेयं पुरुस्त्याय सप्तर्षित्रमुलैस्तथा । द्वादशद्वादशाब्दानि कुच्छ्राग्न्याद्वापि मक्तिः ॥
भ तीर्थेरकुर्वन्नि "त्यादिपुराणे श्रूयते कथेतिस्वृतिसंग्रह्म्मृत्यर्थसारादिभिरुक्तप्रकारेणास्माभिरपि
हिस्यते । तत्र संकल्पपूर्वकं पद्भ्यां षष्टियोजनागतस्य मागीरथ्यां स्नानं षड्वदकुच्छ्रसमं।
अत्र एकैकस्य यात्रायोजनस्य वृद्धावर्द्धकुच्छ्रवृद्धिः परिकल्पनीया । षष्टियोजनगतस्य मागीरथ्यां
विध्युक्तस्नानेनैकः कुच्छ्रो भवति । मध्ये चेत्यपर्वतादिभिर्व्यवधानं भवति । पर्वताद्यमावे मार्गास्यादुर्गमत्वे च योजनागतस्य दुर्गमते अर्द्धयोजनादागतस्यत्येवं कल्पनीयम् । पूर्वे सप्तमातृका
। राक्षसभयान्नयो जाताः । गते च भवे पुनर्देवता अभवन् । ततो नयः शुष्काः तेषु स्नानेषु भागिरथी
सममभवत् । तासु विष्णुगंगादिसप्तमातृकानामसु गंगासु स्नानं षष्टियोजनदागतस्य षड्वदकुच्छुतुल्यं प्रयागे गंगाद्वारे गंगासागरसंगमे च द्विगुणं यमुनायां विंशतियोजनागतस्य स्नानं
व्यव्दक्वच्छ्रसमम् । मथुरायां द्विगुणं सरस्वत्यां चत्वारिश्वोजनागतस्य चतुरब्दसमम् । प्रमासे

द्वारवत्यां च द्विगुणम् । यमुनासरस्वत्योर्यात्रायोजनवृद्धौ पादकुच्छृवृद्धिः । ऱ्हासे पूर्वोक्तरीत्या शूद्राविपाशावितस्ताशरावतीमरुद्धधामधुमतीपयास्विनीपृतवतीत्यादिदेव-करुप्यं । दृषद्वतीप्स नदीषु स्नानं त्रिंशत्क्रुच्छसमं पंचद्शयोजनागतस्य । चंद्रभागावेत्रवतीसरयूगोमतीदेविका-कौशिकीनित्यजलामंदाकिनीसहस्रवकाषौनःपुण्यापूर्णपुण्याह्वयागंडकीवारुण्यादिदेवनदीषु दशयोजनागतस्य पंचदशकुच्छ्रसमम् । एतासु महानदीषु परस्परासंगमे योजनागतस्य ५ कुच्छ्रत्रयफ्लं समुद्रगामहानदीभिः सह पूर्वोक्तवेद्वेदेव नदीनां संगमे योजनागतस्य षद-कुच्छ्रपंत्रम् । अनुक्तस्थरेषु यात्रायोजनसंख्यया कुच्छ्रसंख्या विज्ञेया । महानदेषु महा-नद्यद्भिलम् । शोणमहानदे तु गंगार्धफलम् । नदेषु नद्यर्धफलम् । गणमहानदीं । मेरुरामेश्वरं पद्मनामं श्रीरंगं पुरुषोत्तमम् । कुरुक्षेत्रं नैमिषं बदर्याश्रमं । पुण्यारण्यं केदारं श्रीशैलं महालयं रुद्रकोटिपुष्करं नर्भदामास्त्यनकेश्वरं * कुब्जाप्रभासं । कोकामुरं 9 • च विजयेशं पुरीद्रपंचनदं गोकर्णं मथुरामयोध्यां द्वारवतीं गयां कांचीं शालमामं शंबलमान-मित्यादि मुक्तिक्षेत्राणि संसेव्य गंगासमं फलं लभेत्। चतुर्विशति योजनागतस्य ताप्यामष्टकुच्ळुसमम्। तथा पयोष्णायामपि । अत्र संगमे द्विगुणम् । षष्टियोजनागतस्य गोदानं वयब्दकुच्छ्रसमम् ।प्रणीताया-मष्टयोजनांतर्गतस्याष्टकुरुछ्रफलम् । पूर्णायां तद्रधेकुरुष्ट्रं वेणायां योजनसंख्यया कुरुछ्रसंख्या । ककु-द्मिनीसंगमे दशयोंजनागतस्य पंचदशकुळूफलम् । मलापहारिण्यां योजनसंख्यया क्कु सख्या । ^{९५} तथा निवृत्यामपि । गोदावर्या यात्रायोजनवृद्धौ पादकुच्छृवाद्धः । सिंहे गुरौ सर्वत्र जान्हेवीसमा । कन्यास्थे गुरौ कुछूं । वेण्यायां सर्वत्र जान्हव्यर्द्धम् । तुंगमद्रायां तुलास्थे रवौ कर्कटस्थे च गंग।-र्द्धम् । क्रणावर्णायां मलापहारिणीसंगमे त्रिंशयोजनागतस्य त्रिकुच्छ्समम् । भीमरथ्यासंगमे द्विगुणम् । तुंगभद्रासंगमे त्रिगुणम् । निवृत्तिसंगमे चतुर्गुणम् । बह्मेश्वरे पैचगुणम् । मल्लिकार्जुनसमीपे पाताल-गंगायां षड्गुणम् । कावेयां महानद्यां दशयोजनागतस्य पंचदशकुळ्फलम् । द्वादशयोजनागतस्य २० द्वादराकुळूसमम् । ताम्रपर्णीकीर्तिमलापयस्विदादीषु सत्यादिपादो द्वतावद्भचो योजनमविछिन्नप्रवाह-रूपास्वदैर्द्यानुसारेण योजनागतस्यैकद्वित्रिकुळूफळपदाः । विध्यश्रीशैलोद्भवा द्विगुणाः । हिमाचलो •द्भस्तान्निगुणाः । स्मृतिपुराणादिषु •यथाकथंचिदनुकुल्या योजनागतस्य त्रिरात्रफलदाः अल्प-नयः क्रुच्छ्रफलप्रदाः । महानयः क्रुच्छ्रत्रयफलदाः । एकयोजनगादिषड्योजनगताः । स्रवंत्यः कुल्याः । तास्ता द्वादशयोजनगता अल्पनयः । चतुर्विशतियोजनगता नयः । उपवाससहितं १५ मह्रानदीस्नानं योजनादर्वागमि कुच्छ्रसमम् । कुत्सितनाम्न्यो नयः पापनदाश्च वज्योः । समुद्रस्नानं सर्वत्र दशें कार्यम् ।देवतासमीपे महानदीसंगमेषु च सर्वदा कार्यम् । पेचदशाड्यो जनागतस्य समुद्र-स्नानं पंचदंशकुच्छ्रफलम् । प्रसिद्धदेवतासमीपे द्विगुणम् । तत्र स्नात्वा तद्देवताद्यशिनं तु त्रिगुणं त्रिंशद्योजनं दूरात्सेतुगमनं त्रिंशत्कुच्छ्रसमम् । तत्र स्नात्वा रामेश्वरदर्शने द्विगुणम् । विध्यदेश-जानां सेतुरामेश्वरे जान्हव्यास्त्रिगुणं फलम् । तथैव जान्हवी केदारयोरापि । दक्षिणदेशीयानां ३० जान्हन्यां षड्गुणम् । गंगादेशीयानां सेतुरामेश्वरे षड्गुणम् । सर्वत्र भाषाभेदपर्वतादिभिर्व्यवधाने मार्गस्य दुर्गमे चोक्तयोजनसंख्यातो योजनसंख्याहासेन कुच्छादिफलानि कल्प्यानि प्रयासाधिक्यात् । सर्वे वैष्णवमाहेरसौश्वरशाक्तेषु पीठेषु दर्शनेन योजनसंख्यया कुच्छ्रसंख्या । प्रख्यातेषु द्विगुणम् । तीर्थतीरपितृब्यस्थितस्यापि योजनपरिमितात् प्रदेशादागमनमंतरेणापि विधिवत्स्नात्वा धौतं वासः

" प्रायाश्चित्त-याज्ञवल्कीये

परिधाय शिरोरुहेष्वनार्देषु सत्सु पुनः स्नातन्यम् । एवं द्वाद्शाभिः स्नानेरेकः कुच्छ्रो भवति । परार्थगंतुः षोडशांशफलम् । प्रसंगगंता अर्द्धफलं लभते । अनुषंगेण तीर्थं प्राप्य स्नाने स्नानफल- मेव लभते न यात्राफलम् । पितृपितामहआतृमातामहिपितृन्यमातुलश्वशुरपोषकार्थं गुर्वाचार्यो- पाध्यायार्थं तेषां यात्रार्थं मातृष्वसृपितृष्वस्र्यं स्नात्वा स्वयमष्टमांशं लभते साक्षाःत्वित्रोर्श्यं कुर्व- पुत्रश्चतुर्थीशं लभते दंपती च सपत्न्यश्च मिथोर्द्धफलं लभते । देवलः

"अभिसंगम्य तीर्थानि पुण्यान्यायतनानि च । प्रमुच्यते नरः पापाङ्काह्मणांश्च तपस्विनः ॥
"सर्वाः समुद्रगाः पुण्याः सर्वे पुण्या नगोत्तमाः । सर्वमायतनं पुण्यं सर्वे पुण्या वनाश्रया "॥इति।
"अर्थिना तत्फले ह्नासः शुश्रूषाफलमीहशम् । कर्कादौ मासद्वये निरंतरं रजस्वला नद्यः ।
तास्विप गोमतीचंद्रभागासिंधुनर्मदासरम्बद्ध त्रिरात्रं । वापीकूपादिषु स्थितपुराणोदकेषु त्रिरात्रं ।
तस्यां महापातकं
न प्रविश्वाति । कुल्यास्त्रिरात्रफलदा अल्पनद्यः कुल्याः । नद्यो द्विकुल्यः । महानद्धिकुल्यः ।
एक्योजनगंगादिषद्योजनगांताः स्रवंत्यः कुल्याः । ततो द्वादशयोजनगांता अल्पनद्यः । ततश्वतुर्विश्वातियोजनगता नद्यः । तद्धिकगमहानद्यः समुद्रगाश्च । उपवाससिहतं नदीस्नानं कुच्ल्ल्रसमं
योजन।द्वीगि । शुनीगर्दभीचांडालीशूद्राकष्टादिनामकनद्यः पापनद्यश्च वर्जिताः । सर्वत्र समुद्र५५ स्नानं दर्शे कार्ये । देवतासमीपसिरिश्वदीसंगमेषु सदा कार्ये । समुद्रस्नाने पंचदशयोजनागतस्य
पंचदश कुच्ल्लाणि । एवमधिकयोजनागमनेऽधिकमूहां । तथा तीर्थेषु स्नानमि कुच्ल्लादिफल्लिक् ।
तथा च जमद्शिः

"तीर्थेषु पादकुच्छ्रं स्यान्नयां क्रुच्छ्रफलं लभेत् । द्विगुणं तु महानयां संगमे त्रिगुणा भवेत्॥" इति । नारदः

"अतिकृष्ट्रः पर्णकृष्ट्रः साम्यकृष्ट्रश्च कृष्ट्रकः । महासांतपनं शोध्ये तप्तकृष्ट्रश्च पावनः ॥ "जपोपवासकृष्ट्रस्तु ब्रह्मकूर्चश्च शोधनः । एते व्यस्ता समस्ता वा प्रत्ये हं ह्येकतोऽपि वा ॥ "महत्सु पातकेषूपपातकेषु च यत्नतः । कार्याश्चांद्रायणयुता केवला वा विशुद्धये ॥ "उपवासिश्चरात्रं वा मासः पक्षस्तदर्द्धकम् । षडहोद्वादशाहानि कार्ये शुद्धिमभीप्सतेति॥"

विश्वामित्रः

- २५ "उपपातकयुक्तानामनादिष्टेषु चैव हि । प्रकाशे च रहस्ये च अभिसंध्याद्यपेक्षया ॥ "शक्तिज्ञातिगुणान्दृष्ट्वा सङ्कृद्बुद्धिकृतं रुघु । अनुबंधादिकं दृष्ट्वा कल्प्यं सर्व यथागमम् ॥ "प्रकाश उक्तं यत्किंचिद्दिंशो भागो रहस्यके । त्रिंशद्भागः षष्ठिभागः कल्पो जात्याद्यपेक्षयेशिते॥" यत्तु बृहस्पतिवचनं "जनमप्रभृति यात्किंचिदिति" तस्य विषय उक्तः । तत्र पूर्वाद्धें तिन्ववृत्तये इति शेषः ।
- "द्विजस्याद्यो तु नौ यातुः शोधितस्याप्यसंग्रहः । अस्य वर्णागनादुष्टैः संसर्गः शोधितैरिप" इत्यादि तु किलिनिषिद्धमध्ये स्पष्टम् । प्रायिश्वत्तेषु वपनं केवलपुण्यार्थिनां तु नेत्युक्तं प्राक् । तत्र विशेषः । "केशानां नास्ति नारीणां वपनं वतयत्तयोः । गोवधादिषु सर्वेषु छेदयेदं गुलित्रयम् ।। "सथवानां तु नारीणामलंकाराय सर्वदा । केशसंधारण प्रोक्तं प्रायश्वित्ते द्विजोत्तम ॥

इत्यत्र सधवाशब्दोपादानाद्विधवानां वपनमस्त्येव । नांगुलित्रयप्रमाणेन छेदः । वपनं च दिनत्रयसाध्यवते नलच्छेदनमात्रं षड्दिनसाध्ये रमश्रुणोऽपि नवदिनसाध्ये शिलावर्ज तद्वृध्वे सिशलम् त्रिषड्दिनयोः । स्त्रीणां नैव तत् । धेनुदानादावप्येवमेव । अस्य नैमिक्तिकत्वात्सदा बद्धशिलेनत्यनेन न विरोधः । " कुछ्राण्येतानि सर्वाणि कुर्वीत कृतवापन" इति विष्णुः । "द्वादशाहे संपूर्णो वपनमिति" पैठीनसिः । अपरार्के

"उदङ्गुलः प्राङ्मुसो वा वपनं कारयेद्बुधः । केशरूमश्रुठोमनसान्युद्कूसंस्थानि वापयेत् ।। "दक्षिणं कर्णमारम्य कर्मार्थं पापसंचये । शिखाधं नवसंस्कारं शिखाद्यंतं शिरो ववेत् ॥" पापसंचये तन्निमित्ते प्रायाश्चित्ते । संपूर्ण इत्युक्तचा ततो न्यूने न भवति । यत्र च द्विरात्रत्रिरात्रादि साध्यक्कुलाणामावृत्या द्वादरारात्रसमता तत्रापि वपनमस्त्येव । किंतु अक्षिरोमाशिखावर्ज । "अक्षिरोमशिखावर्जमिति" वशिष्ठोक्तेः (२४।५) यत्र तु मुंड इत्यादिपदै विशेषविधि- १० स्तत्र तथैव वपनं कार्यम् । राजा वेति वाक्ये राजाद्य उपलक्षणम् । यत्र राजाद्यामध्यवं किमुतान्येषामिति । विद्वद्विपाते वाक्येनेष्यते सर्वाध्मना न विधीयते वपनं किंत् तद्मावेऽपि द्विगुणवताचरणे शुद्धिरित्यर्थः । इदं च सर्वाधिकृतवर्णसाधारणं विशेषानुक्तेः । कुच्छाणामिति तद्विधिवाक्ये निरूपपद्कुच्छ्रशब्दोकेरिति । अथ सामान्येन पापनिष्क्वतिहेतवः । तत्र गौतमबौधायनौ (१९१११०) "तस्य निष्कियमाणानि जपस्तपो होम उपवासो दानं उप- १५ निषदो वैदांतः सर्वच्छंदः सुसंहितामधून्यघमर्षणं अथर्विशरो रुद्राः पुरुषसूक्तं राजन्यारोहिणे . सामनी बृहद्रथंतरपुरुषगतिर्महानाम्नो महावैराजं महादिवाकीत्यं ज्येष्ठसाम्नामन्यतमं बहिः पवमानं कृष्मांडानि पावमान्यः सावित्री चेति पावनानि। पयोवतानाशकफलमक्षता प्रसत्यावको हिरण्य-प्राशनं घृतप्राशनं सोमपानमिति मेध्यानि। सर्वै शिलोचयाः सर्वाः स्रवत्यः पुण्याहदास्तथान्यवि-निवासा गोष्ठपरिष्कंदा इति देशा। ब्रह्मचर्य सत्यवचनं सवनेषुद्कोपरपर्शनम् । आर्द्रवस्त्रता अधः- १० शायिता अनाशकता इति तपांसि । हिरण्यं गौर्वासोऽश्वो मूमिः तिला घतमन्नामिति देयानि । *संवत्सरः षण्मासाश्चत्वारस्रयो द्वावेकश्चतुर्विंशत्यहो द्वादशाहः षडहस्रयहा अहोरात्रे इति कालाः । एतान्येवानादेशे विकल्पेरन्नेनसि गुरुणि गुरुणि लघुनि लघुनि । क्रच्छ्रातिक्कच्छ्रौचांद्रायगमिति सर्व-प्रायश्चित्तामिति" । अस्यार्थः । तस्य पापस्य निष्क्रियमाणानि भंशोणकारणानि जपादीनामस्यतमः स्यापि पापापनिर्हणहेतुत्वमस्त्येव । प्रत्येकमसमूस्तेतेन निर्देशात् रहस्त्रवाहा । १००० । दारण्यकादयो वेदांतः । उपनिषत्वेऽपि बृहदारण्यकादीनां पृथगुपादानसाधिव स्था नायस । सर्वशासासु पदकमरहिता मंत्रयंथाः । सर्वछंदः सुसंहिताः मधुवाता इत्यादीनि यज्ञंषि वधूनि । 'झतं च सत्यं चेति' सूक्तमघमर्षणम् । अथर्विशिरः अथर्ववेदैकदेशः प्रसिद्धः । 'नमस्ते रुद्र मम्यव' इत्यध्यायो रुद्राः । सहस्रशीर्षेत्यध्यायः पुरुषसूक्तम् । राजन्यारोहिणे सामनी 'इंद्रं नरो-नेमधिता हिरण्याय'इत्यस्यामाचि गीयते । बृहद्रथंतरे 'त्वामिद्धि हवामहे'। 'अभि वा शूर नेानुम' 😱 तस्येत्यत्यांगिरसः विदामववात्रित्याद्या इत्यनयोगीतिः पुरुषगीतिः । अहमस्मि प्रथमजा क्सचो महानाम्न्यः । पिबा सोममृतस्येत्येतस्यां गीतं महावैराजम् । बिभाड्बृहत्पिबतु सोम्यं मध्व-

१ निक्रयणानि इति गौतमीयपादः ।

स्यस्यां गीतं सामेत्र दिवाकीर्त्यम् । अच्छादोहारूयानि सामानि एष्ठसामानि । उपास्मै गायतेति स्तोत्रं विहःपवमानम् । यहेवा देवहेडनिमत्यादीनि यज्ञृषि कृष्मांडानि । स्वादिष्ठया मिह्नियेन्त्याया अन्यः पावमानः । सन्दितमयमध्यस्थितयवसाधिता यवागः प्रमुतयावकः । गोष्ठं प्रसिद्धम् । परिस्कंदानोवजनमार्गः । सर्वप्रायश्चित्तं सर्वत्रादेशेऽनादेशे च प्रायश्चित्तमिति । प्रायश्चित्तं च अष्टमीचतुर्वद्वयोर्ने कार्यम् । चतुर्वद्वयां संकल्प्यामायां कार्यमिति शिष्टाचारः । तत्र पापं द्विविषम् । रहस्यं प्रकाशं च । कर्तृव्यतिरिक्तेरज्ञानदोषो रहस्यम् । तत्र प्रकीर्णकादिषु रहस्येषु च विशिति-प्राणाय माः । उपपातके ताद्वशिशतम् । अनुपातके द्विशतम् । अतिपातके त्रिशतम् । महापातके चतुःशतम् । सर्वत्राभ्यासे द्विगुणम् । मत्या त्रिगुणम् । मत्याभ्यासे चतुर्गुणम् । यद्वा गायञ्या लक्षजपो महापापं पादोनलक्षजपोऽतिपापे अर्द्धं लक्षमनुपापे मत्या द्विगुणपादलक्षमुप। पापे तदर्षार्थं । प्रकीर्णकादिषु अन्यान्यपि रहस्यप्रायश्चित्तानि निवंधेभ्य ऊद्धानि । अविद्वानमुस्तां-तरेण व्याजात् प्रायश्चित्तं ज्ञात्वा रहश्चरेत् । विद्वांस्तु स्वयमेव दशलक्षगायत्रीजपः प्रायश्चित्तम् ।

"सर्वेषामेव पापानां संकरे समुपस्थित । दशलक्षां समभ्यस्ता गायत्री पावनं महत् ॥" इति स्मरणात् । तथा मसमञ्ज्ञतो मस्मशयनो स्वज्ञापी सर्वपापात् मुच्येत । स चैकादश- वारं । अत्र सर्वशब्देन महापापव्यातीरिकं ग्राह्मामिति केचिन्महापापान्यापि सर्वशब्देनेत्यपरे । १५ पुरुषस्कं प्रत्यहं षोडशकृत्वो जपन् मासेन शुद्धचेत् । अत्रातारिवशेषानुक्तौ पयःप्रभृतयः शिल्ठो- चयादयो माद्यादयश्च देशकालौ अतिरिक्तेषु व्याह्मतिमिराचमनम् । एवं स्वापनानृतापाष्ट्ययन- तपांस्यपि पापनाशकानि स्वयापनसमासु पुण्यस्थानेषु स्वव्यापकथनपूर्वकमात्मनिदनं अध्ययनं वेदस्य वेदांतादेश्च उपदिष्ठप्रायश्चित्तेषु तु एतदंगं अन्यथा तदिधिरक्तलः स्यात् ।

"क्कते पावेऽनुतापो वैषम्यपुंसः प्रजायते । प्रायश्चित्तं तु तस्योक्तं हरिं संस्मरणं परम् ॥

र॰ "प्रातर्निश्चि तथा संख्या मध्यान्हादिषु संस्मरन् । नारायणमवाप्रोति सद्यः पापक्षयं नरः॥'

इति विष्णुपराणे

"नारायणपरा वेदा नारायणपराः ऋियाः । नारायणपरो धर्मो नारायणपरा गतिः ॥ "नारायणपरं सत्यं नारायणपरं तपः । नारायणपरो मोक्षो नारायणप ा स्तुतिः ॥

"नारायणपरं ज्ञानं नारायणपरं पदिमिति" । हिरिवंशे । चत्वारिंशे । अत्र केचितै १५ अनेन च सर्वपापप्रणाशो भवत्येव । इइ व्यवहार्यताः त्वतिप्रसंगनिवारणाय मन्वादिपायाश्चित्तरव रागद्वेषादिक्लुषहृदयतया तत्राविश्वसतो जनान्प्रति व्यवहार्यताासिद्धये वातः उपदेश इति प्राहुः ।

"गंगास्नानं सर्वविधसर्वपापनाशकं । चांद्रायणसहस्रं तु यश्चरेत् कायशोधनम् ॥

"पिबेत् यश्चापि गंगांभः स्वयो स्यातां न वा समी ।

"भवंति निर्विषाः सर्पा यथा तार्क्ष्यय दर्शनात् । गंगाया दर्शनात्तद्दत्सर्वपापैः प्रमुच्यते ॥ " ३० इत्यादि महाभारतादिवचनेभ्यः न चैतान्यर्थवादाः ।

''स्नानमात्रेण गंगायां पापं ब्रह्मवघोद्भवं । दुराधर्षं कथं वातिचिंतयेयो वदेद्वि ॥ "तस्याहं प्रदेवे पापं कोटिब्रह्मवदा इदम् ।

"स्तुतिवादिष् "यमत्वात्कुंभीपाकेषु जायते । आकल्पनरकं भक्तानितो जायेत गर्दभ॥"इति ।

अविष्यकीर्माद्विभ्यः । परं नास्तीत्येवमाह । पितामहः

"सर्वे कृतयुगे पुण्यं बेतायां पुष्करं मतम् । द्वापरे तु कुरुक्षेत्रं कली गंगेव केवलम् ॥ ?? गंगाकलियुगे स्मृतेत्रि पाठांतरम् ।

''यग्रकार्यशतं कृत्वा कृतं गंगावसेचनम् । सर्वे तसस्य गंगांमो दहत्यशिरिवेंघनि''त्यादि-वचनान्यप्यनुसंघेयानि । कलियुगीयपापनाशसामर्थ्यं गंगाया एव न पुष्करादीनां । कृतादौ तु ५ पापस्यान्यत्वात्तकाशसामर्थ्यं तेषामपीति सर्वे कृतयुग इत्यस्य तात्पर्यम् ।

अथ प्रायश्चित्तोपक्रमप्रकारः।

तत्र कर्मविपाकप्रायश्चित्तोपयुक्तं किंचिदुच्यते । तद्यथाह देवलः

"कुछ्राणां द्वारको राजा निर्दृष्टाधर्मपाठकः। अपराधी प्रयोक्ता च रक्षिता कुछ्रपालकः॥" महापापेषु कुछ्राणां प्रायश्चित्तानां दापको राजा भवति । ब्रह्महत्यादिप्रायश्चित्तेषु राज्ञा १९ विना द्विजामचैः प्रायश्चित्तं नोपवर्णनीयमित्यर्थः।

प्रस्यश्चित्तस्य निर्देष्टा धर्मपाठक इत्युच्यते । यस्मिन्ननुवादकशब्दं लोकाः प्रयुंजते । अंगिराः "बह्मचर्याश्रमादुर्ध्व वृद्धा आश्चमिणस्रयः । वदेयुस्तस्य ते धर्मान्ये मया परिकीर्तिता"इति ।

"क्वावियावतस्त्रातः सत्यसंघो जितेदियः। अनेकधर्मशास्त्रज्ञः प्रोच्यते धर्मपाठकः॥

"चातुर्विधं विकल्पी च अंगविद्धर्मपाठकः । त्रयश्चाश्रमिणो वृद्धाः पर्धदेषा दशावरा ॥

"चतुर्णामणि वेदानां पारगा ये द्विजोत्तमाः । यथाऋमं विनाप्यंगैश्चतुर्मिधमिति सम्वतम् ॥

"धर्मस्य पर्षद्श्वेत प्रायश्चित्तक्रमस्य च । त्रयाणां यः त्रयाणां सः सविकल्पो भवेत् द्विजः॥
""शब्दे छंदसि कल्पे च शिक्षायां च सुनिश्चितः। ज्योतिषामयने चैत्यनिक्तसवित(?)भवेत्*।

अपराधी पापकारी कुळ्प्रयोक्तित्यभिधीयते । रक्षिता राजपुरुषः कृताकृतप्रत्यवेक्षणेन प्राय-।
 श्वित्तपरिपालक इति कथ्यते । तथा

"विचारस्तादृशः कार्यो यथा सर्वे सभासदः । एकवावयं तत्र ब्रूयुस्तथा श्रेयोऽधिगच्छति॥" प्रकृतमनुसरामः । धर्मविवृत्तौ

" क्षत्रियो ह्यय वैश्यो वा शुद्रो वा न कथंचन । प्रायश्चित्तविधानं हि कुर्वीतीित विदुर्बुधाः।।
"अवतानाममंत्राणां जातिमात्रोपजीविनां । सहस्रशतयुक्तानां पर्वत्वं नोपपद्यते।।" पातके च
शतं परिषत् सहस्रमहदादिपापेषु पंचाशत्स्वल्पे स्वल्पास्तथा भवेत् । बहुभिर्विद्वद्भिर्मिलित्वा २५
विचार्य प्रायश्चित्तं विधेयमिति शतादिशब्दानां तात्पर्यार्थः । अत एव याज्ञवल्क्यः (आ. ९)

''चत्वारो वेदधर्मज्ञा पर्षत्रैविद्यमेव वा । सा ब्रूते यं स धर्मः स्यादेको वाध्यात्मवित्तमः ॥" 💉 इति । तथाच मनुः (१२।१११)

"त्रैविद्यो हैतुकस्तर्की नैरुक्तो धर्मपाठकः। त्रयश्चाश्रमिणः पूर्वे पर्षदेषा दशावरेति ।" तिस्रो विद्या त्रमामिका यस्यासौ त्रैविद्यः। हैतुकोऽनुमानज्ञः। तर्कोऽस्यास्तीति तर्की। ३० संशये सत्येकस्यां कोटौ प्रामाणिकत्वारोपे क्वते बाधकादर्शनात् प्रमाणनात्र भवितव्यमिति यः प्रत्ययः स तर्कः। स च वेदशास्त्राविरोधी ग्राह्यः। एवंविधायाः परिषद् उपस्थानं वक्ष्यमाण-प्रकारेण कार्यम्। अत्रायं वृद्धसमाचरो व्रतग्रहणदिने। तद्यथा। अभुंजानः सायंकाले पर्षदं प्रद-श्रिणीक्कत्य स्वकीयमेनो विज्ञापयतीति। अत्रायमाशिषः। अंगिरसः प्राप्तपापस्य परिषदोनुपस्थाना-

^{*} एवं मूले।

प्रायाश्चेत-याज्ञवल्कीये

स्वै भोजनं निषिद्धम् । अस्यायमभिप्रायः । पश्चात्तापवान्मवेत् । अविलंबेनैव प्रायश्चित्तं गृह्णी-यादिति । अन्यया दीर्घकालं भोजनपीरत्यागे देहधारणाभावे न प्रायश्चित्ताचरणमेव स्यात् । तस्मात् देववशात्प्रायश्चित्तविलंबे मितमेध्याहारादिभिः शरीररक्षणं कुर्वीत न स्वच्छंदाहारी स्यात् । इमां स्मार्चामुक्तिं दृष्ट्वा व्रतग्रहणदिन एवाभोजनं मन्यते । कलौ दृढतरानुत्तपस्यामभावात् । उप-कमदिने शरीरशुद्धेरीण्सितत्वाच । मनुः (११।४७)

"प्रायश्चित्तीयतां प्राप्य दैवात्पूर्वकृतेन वा। न संसर्गे व्रजेत्सद्भिः प्रायश्चित्तेऽकृते द्विजः ॥" अंगिराः

"उपस्थितस्तु न्यायेन व्रतादेशनमहिति । क्रुतेन संयमं पापे न भुंजीतानुपास्थितेः ॥"

"भुंजानो वर्द्धयेत्पापमामत्यं पर्षादे वजन्। संशये तु न भोक्तव्यं यावत्पापस्य निष्क्वातिः ॥ "प्रमादश्च न कर्तव्यो यथैवासंशये तथा। क्वत्वा पापं न गृहेत गूहमानस्तु वर्द्धयेत्॥" "बहु वा त्वस्पकं वापि कर्मविद्धयो निवेद्येत्।

> "प्रायश्चित्ते समुत्पन्ने ह्वीमान्सत्यपरायणः । मृदुरार्जवसंपन्नः शुद्धिं याचेत मानवः ॥ "सचैठं वाग्यतः स्नात्वा क्किन्नवासा समाहितः । क्षित्रयो वापि वैश्यो वा पर्षद्ह्यपतिष्ठते ॥ क्षित्रयापग्रुपादनं प्रदर्शनार्थं ।

"उपस्थाय ततः शीव्रमार्तिमान्धरणीं वजेत् । गांत्रेश्च शिरसा चैव न च किंचिदुदाहरेत् ॥ "ततस्ते प्रणिपातेन दृष्टा तं समुस्थितम् । वृद्धाः पृछंति किं कार्यमुपविश्यायतः स्थितम् ॥ "किं ते कार्य वदास्माभिः किं वा मृगयसि द्विज । तत्वतो ब्रृहि तत्सर्व सत्यं हि गतिरात्मनः ॥ "अस्माकं चैव सर्वेषां सत्यमेव परं बलम् । यदि चेद्रक्ष्यसे सत्यं नियतं प्राप्त्यसे शुभम् ॥

"यशागतोऽस्य सत्येन नत्वं शुद्धशिकि हिंचित् । एवं सर्वमनुज्ञातः सर्वे ब्र्यादशेषतः ।" इति ।

े न भुंजीतानुपस्थित इति । अनुपस्थितः पर्षदमनुप्रस्थितः । संशयो नाम पर्षद्वपस्थातुं स्वगतः पापसंदेहः । कार्यस्य निष्कृतिः पापस्य निश्चयः । अथवा कार्यस्य निष्कृतिं प्रायश्चित्तनिश्चयः । संशये तु न मोक्तव्यम् । इत्येतिन्मथ्याभियोगविषयम् । प्रमादश्च न कर्तव्यः पुनः पापं न कुर्यादित्यर्थः । अथवा चिरकालसंदेहानुवृत्तौ हविष्यभोजनादिश्चरिररक्षणप्रमादः स न कर्तव्यः । तथैवासंशये स्वयं पापस्य निश्चये देशांतरादिव्यवहितेषु विद्वत्सु पर्षद्वपस्थानात् प्राग्यथा हविष्य- अभोजनाच्छरीररक्षणं क्रियते तथा संशयस्थलेऽपीत्यर्थः । पर्षद्ये पापप्रख्यापनं च दक्षिणादाना- नंतरं कुर्यात् । तथाह पराश्चरः । "पापं प्रख्यापयेत्मापी दत्वा धेनुं तथा वृषिनिति" । अत्रैव विशेषमाह विष्णुः

"पादनते वस्त्रदानं कुछ्रार्द्धे तिलकांचनस् । विख्याप्य पापं तत्कृद्धचः किंचिद्दत्वा नतं चरेत् ॥ इति । तत्मकीर्णकविषयस् । यत्र च परिषदमे दक्षिणात्वेन घेनुवृषभयोरन्यतरद्धभयं वा दीयते ३० तत्र धेनुमूल्यं निष्को वा दातव्यो न प्रत्यक्षं गौर्वृषभो वा । यथाऽह्यांगिराः

"बहुभ्यो न प्रदेयानि गौर्गृहं शयनं स्त्रियः । विभक्तदक्षिणां ह्येता दातारं तारयंति हि । "एका एकस्य दातच्या न बहुभ्यः कथंचन । सा तु विक्रयमापन्ना दहत्या सप्तमं कुलमिति ।" एवं पूर्वोक्तप्रकारेण सचैल्लानं आर्द्रवासाः पर्षदं प्रदक्षिणीकृत्य परिषद्क्षिणां दत्वा दंडवत्प्रणम्य पापं सर्वे विख्याप्य परिषद्मे भो मामनुगृह्णीतेत्युक्तवा परिषद्मे तूष्णीं तिष्ठेत । ततो ब्राह्मणास्तमुत्सार्य परस्परं प्रायश्चित्तस्वरूपं चिंतयेयुः । तथा चांगिराः

"तेषां निवेदिते कार्ये उत्सायौ हि सकार्यवान् ।

"तस्मिन्नत्सारिते विप्रे ये यथा धर्मपाठकाः । ते तथा तत्र जल्पेषु विमृह्यंतः परस्परम् ॥ "धर्मशास्त्रेषु यञ्चोक्तं यञ्च सानुग्रहं भवेत् । विमृश्य पर्वतत्सर्वे प्रायश्चित्तं प्रकल्पयेत् ॥

''यथाकालं यथादेशं यच कार्यीतरं भवेत् । पर्षदः समतं चैव कारिणश्च बलाबलम् ॥

"सर्वेषां निश्चितं यच यच प्राणान्न पीडयेत्" । कार्योतरं वृद्धमातापितृशुश्रुषादि । यच प्राणान पीडयेत् । यत्र प्राणिपीडाकरणांतकप्रायश्चित्तव्यतिरेकेण शास्त्रोपदिष्टं प्रायश्चित्तांतरमस्ति तत्र प्राणबाधाकरं न देयमित्यर्थः । वृद्धशातातपः

''यदि वा धर्मशास्त्रेण प्रायश्चित्तं विधीयते । नैव शुद्धिमवामोति प्रायश्चित्ते क्वतेऽपि सः ॥ १०

"अदृष्टा धर्मशास्त्राणि प्रायश्चित्तं वदंति ये । प्रायश्चित्ती भवेत्पूतस्तत्यापं पर्षदं वजेत् ॥ देवलः "एकोऽप्यहिति तत्कर्तुमनूचानोऽप्यनूयहम् । धर्मज्ञा बहुवो विषः कर्तुमहत्यनुयहस् ॥

"स्नेहाद्वा यदि वा लोभान्मोहादज्ञानतोऽपि वा । कुर्वत्यनुग्रहं यत्तु तत्पापं तेषु गच्छति ॥

"श्रीरस्यात्यये कार्यः संयमे नियमो द्विजैः। महतो वोपराधेन न सुस्थस्य कदाचनेति॥" **कार्यः ।** अनुग्रहः कृार्यः । महानुरोधो महत्पापात् । अंगिराः

"आर्तानां मार्गमाणानां प्रायश्चित्तानि ये द्विजाः । जानंतो न प्रयच्छंति ते तेषां समभागिनः ॥ अंतस्मादार्त समासाय ब्राह्मणं च विशेषतः । जानाद्भिर्धभेषंथानं न भाव्यं तु पराङ्मुलैः ॥

"अनर्चितैरनाहतैरपृष्टैश्चैव संसदि । प्रायश्चित्तं न दातव्यं जानद्भिरपि कल्पतः ॥" एवं धर्मशास्त्रानुसारेण प्रायश्चित्तमपसार्य प्रायश्चित्तस्वरूपं निष्कृष्ट्य तत एकेन तत्प्रायश्चित्तस्वरूप-मनुवादयेत् । तत्रायं प्रयोगः । पर्षदुपाविष्टेनामुकपायाश्चित्तेन चीर्णेन सांगोपांगेनामुकपापाद्विमुक्तो २० भविष्यति । तस्मात्सांगोपांगं कर्तव्यमिति । एवं त्रिर्वृ्यात् । शिष्टसमाचारात् । एवं च प्रयोग-वाक्यरचनाप्रदर्शरचनार्थाः । तस्माद्यत्र यथोचितं तत्र तथा प्रयोक्तव्यस् । अंगिराः

"सर्वेषां निश्चितं यच यच प्राणं न पातयेत् । आहूय श्रावयेदेकः पर्षदा यो नियोजितः ॥ "शृणु भोः स्विमदं विषेर्यत्तु चादिश्यसे भवान् । तत्ते यत्नेन कर्तव्यमन्यथा तद्वथा भवेत् ॥

"यदा त्वया भवेचचीर्णे वतं शुद्धिकरं महत् । यदा कुर्याः प्रयत्नेन शक्त्या विप्राय पूजनम्॥" २५ पर्षदा यो नियोजितः इत्यनेनानुवादकस्य मृतित्वेन दक्षिणा गम्यते । तथा हि । नियुक्तो हि धर्मकरो भवति स च मृतिमपेक्षते । किं पापानुवादोऽपि पापायैवेति दृष्टलोभाभावेन कोऽपि न प्रवर्तते । तस्मात्पापानुसारेणानुवादकस्य भृतिक्रपदक्षिणा देया । वर्णक्रमेण चानुवादकविशेषोंऽ-गिरसैव दर्शितः

''ब्राह्मणो ब्राह्मणानां तु क्षत्रियाणां पुरोहितः । वैश्यानां याजकश्चैव प्रायश्चित्तं समादिशेत् ॥ "अगरुः क्षत्रियाणां यो वैश्यानां वाऽथ याजकः । प्रायश्चितं समादिश्य तप्तक्कुच्छ्रं समाचरेत्॥

"एवमुत्कृष्टवर्णेषु ब्राह्मणादिषु दर्शितम्"। अत्रोत्कृष्टत्वं दिजानां वृत्ताधिक्ययोगात् निकुष्टत्वं तद्राहित्यात् । निकुष्टायां च वक्ष्यामि प्रायश्चित्तमतः परं । प्रायश्चित्तं तद्दानं ध्यायतो शांखलिखितौ "क्वच्छाणां द्विजातीनामेव नावरस्य कामं धर्मस्यानिषेधः। साधारणो हि धर्मो नियमश्च अवरस्य श्रृद्वस्य वेद्मंत्रसहितस्य प्रान्यश्चित्तस्य निषेघः तद्रहितस्याभ्यनुज्ञा । यद्वा रागदेषादरुभ्यमानेषु प्रायश्चित्तेषु यज्ञहवनाध्ययनब्रह्मचर्ध्यपरो मैक्ष्याशी दंढी मेखर्ठी स्वयमेव संवत्सरेण
महापापतत्परोव्यपोपिहतिकित्विषा न ब्राह्मणस्य पतनिमच्छंत्याचार्याः" इति । अस्यार्थः
रागादिवज्ञात्पर्षदः सकाशात्प्रायश्चित्तमरुभमानः स्वयमेव यज्ञहोमाध्ययनादिनिष्ठो ब्राह्मणः
संवत्सरेणेत्यपि रुक्षणं यावता कार्रम यत्पापनिवृत्तिस्तावता महापातकाद्गीनि व्यपोहतीति ।
रांखः

"तस्करश्वापदाकिणें वक्तव्योक्तमृगे वने । न व्रतं बाह्मणः कुर्याद्बाह्मणस्याभयात्सदा ॥ "शरीरं धर्मसर्वस्वं रक्षणीयं प्रयत्नतः । शरीरात्स्रवते धर्मः *पक्षयामश्रणामिनः । "अंतरा बाह्मणं कृत्वा व्रतमेषां समाविशेत् ।

"तथा शूद्रं समासाय सदा घर्मपुरःसरम् । प्रायश्चित्तं प्रदातन्यं वेदमंत्रविवर्जितम् ॥ सुमंतुः "अथवा रागद्वेषाद्रलभ्यमाणेषु प्रायश्चित्तेषु यज्ञहवनाध्ययनब्रह्मचर्यपरो भैक्षाशी दंडी मेखली स्वयमेव संवत्सरेण महापातकानि तत्परो न्यपोहिति किल्विषी न ब्राह्मणस्य पतन-मिछंत्याचार्याः" इति ।

रागादिवशात्पर्षदः सकाशात्प्रायश्चित्तमलभमानो ब्राह्मणः स्वयं चेत्प्रायाध्वत्तस्वरूपं 🤫 विजानीयात्तदा ब्राह्मणानुज्ञामंतरेणापि यस्य पापस्य यावत्प्रायश्चित्तं तावत्समान्वरेत् । कथिम-त्याकांक्षायामाह । यज्ञहवनादीति । तथा कालमपि निर्दिशति । संवत्सरेणेति । एतज्ञोपलक्षणम् । एवंच च यावानकाल उपयुक्तः यावती चेतिकर्तव्यतोपयुक्ता तावनमात्रं प्राह्मस् । पर्षद्नुपादिष्टस्य प्रायश्चित्तस्याद्याचरणे हेतुमाह । न बाह्मणस्य पतनमिच्छंत्याचार्या इति । अत्र बाह्मणग्रहणास क्षत्रियादेः पर्षद्नुपदिष्टपायश्चित्ताचरणोऽधिकारः । एवं पूर्वोक्तप्रकारेण पर्षद्मुपस्थाय पर्षद्वपदिष्टं ३० वर्तं मनिस विधाय दिनांते प्रायश्चित्तीपक्रमं कुर्वीत । तद्यथा । दिनांते नखरोमादीनि वापयित्वा स्नानं विधाय प्रायश्चित्तसंकरपं कृत्वा तत्र प्राच्यांगानि करिष्ये इत्यभिलप्य ततो द्वादशांगुलप्रमाणेना-निषिद्धेन क्षीरवृक्षोद्भवेन कंटिकेवृक्षोद्भवेन च काष्ठेन दंतान्विशोध्याचम्य भस्मगोमयमृद्धारिपंच-गव्यकुशोदकैर्दशभिवंश्यमाणप्रकारेण दश स्नानानि कृत्वा वासः परिधायाऽऽचम्य वैष्णवश्रास्रं विधायाऽऽदिगोदानं निवर्त्यानंतरमाजोनाम्नामष्टाविंशतिरष्टोत्तराशतं वा न्माह्यतिभिर्द्धत्वाऽथ वस्य-ी 🤻 माणलक्षणं पंचगन्यं पृथक् पृथगानीय गायव्यादिमंत्रैर्वा प्रणवेन वा तानि मेलयित्वा समालोङ्य तत: सप्तपत्रेहिरितैः कुरौः पंचगव्यं समुद्धत्य एवेत्यदिमिमीत्रैर्दशाहुतीहुत्वा प्रणवेनैव हुतशेषं समालोड्य प्रणवेनैव निर्मर्थ्य प्रणवेनैव समुद्धत्य प्रणवेनैव पिबेत् ध्यालोडनं शोधनं । तत्तु हस्तेन निर्मथनं काष्टेन । पानं च पालाशमध्यपर्णेन पद्मपत्रेण सुवर्णपात्रेण ताम्रपात्रेण ब्रह्मतिर्थेन वा भवति । (एवमुपकांतं वतं समाप्य चांते गोहिरण्यादिदक्षिणां द्यात्। अथात्र क्रमेण मंत्रसहितः प्रयागः प्रदृश्यते । ₃ सचैठं स्नात्वा क्विन्नवासाः पर्षदं प्रदाक्षिणीक्वत्य पर्षदादिदाक्षिणां दत्वा नत्वा सर्वे पापं विख्याप्य तद्वपदिष्टवतं मनसि निधाय दिनांते नखरोमादीन्प्रवाप्य स्नात्वा प्रायश्चित्तसंकल्पं कुत्वा तत्र प्राणयोनिं करिष्य इत्यमिलप्य शास्त्रविहितं द्वादशांगुलपरिमाणं दंतकाष्टं गृहीत्वा पूर्वाभिमुखं सन्मंत्रं पठेत्। तत्र

^{*} एवं मूले।

"आयुर्बेलं यशो वर्चः प्रजाः पशुवसूनि च । ब्रह्म प्रज्ञां च मेषां च त्वं नो घेहि वनस्पते॥" अनेन मंत्रेण काष्टस्याग्रमागं किंचिद्रक्षयित्वा तेषेव प्रदेशेन दंतानसंशोध्य तावत्प्रमाणेन काष्टां-तरेण जिन्हामुलिख्य प्रक्षात्य काष्टद्वयं किंचिद्धग्रं कृत्वा विसुज्या क्याय मस्मादिभिः स्वायीत । स्वानप्रकारस्तु तूर्णी भरमेना मस्तकाचवयवाननुलिखोदकेन स्वायीत । एवमेव गोमयेनानुलिख पुनर्वारिणा स्वायीत । एवमेव मृद्यांऽनुलिख पुनरुद्देन । इदं भरमादिभिष्ठदकसहितः स्वात्वा पश्चा- ५ त्वेवलोदकेन. स्वानं कुर्वात । ततो गोमूत्रेण स्नात्वाऽथ गोमयेनानंतरं क्षीरेण पश्चाह्मा स्वाध्योदकेन ततः कुशांतरितेनोदकेनित दश स्वानानि मंत्रवर्ज कुर्वीत । "मलापकर्षणं स्वानं वाह्यशौचोप-सिद्धये"इति विष्णुना मलस्नानस्यैव निर्देशात् । अथवा बाह्यशौचोपसिद्धय इत्युक्तत्वात् शुद्धश्च हष्टाह्यहस्त्रेणाऽभिषिचमान्मंत्रपाठेनाहष्टोत्पत्तेः। समंत्रकाण्येतानि स्मानानि । स्वीश्चद्वाणां त्वमंत्रकमेव स्नानम् । भरमाद्यनुलेपनेनापि दृष्टाह्यसिद्धेरुपपचेः । मंत्रेऽधिकाराभावाच । लिंगपुराणे

"ईशानाय शिरोहेशं मुखं स्वयुरुषण तु। हृदोहेशमघोरेण मुद्धे वामेन सुवत ॥
संधोजाताय पादौ प्रणवेन शोधयोस्पर्वांगम् । अत्र क्रमेण मंद्राः । तत्र स्नानमंत्राः । ईशानाय
नम इति शिरिस । तत्पुरुषाय नम इति मुखे । अघोराय नम इति हृदये । वामकाय नम इति
गुद्धे । संधोजातायः नम इति पादयोः । प्रणवेन सर्वांगम् । अयमेकः प्रकारः । प्रकारांतरं च ।
ईशानः सर्वविद्यानामीश्वरः सर्वभूतानां ब्रह्माधिपतिर्ब्धाणोऽधिपतिर्बद्धा शिवो मे अस्तु सदाशिव १५
इति शिरिस । तत्पुरुषाय विद्यहे महादेवाय धीमहि । तन्नो रुद्धः प्रचोद्यादिति मुखे ।
अघोरेभ्योऽध्य घोरेभ्यो घोरघोरतरेभ्यः । सर्वेभ्यः सर्वसर्वेभ्यो नमस्तेऽस्तु रुद्धरूपेभ्यः इति
हृद्ये । वामदेवाय नमो ज्येष्ठाय नमः श्रेष्ठाय नमे रुद्धायः नमः काक्राय नमः कठविकरणाय
नमो बठविकरणाय नमो बठाय नमो बठाय नमो बठायमञ्जाय नमः सर्वभूतदमनाय नमो मनोन्मनाय नमः
इति गुद्धे । सद्योजातं प्रपद्यामि सद्योजाताय वै नमो नमः । मवे भवेनाति भवे भवस्व मां २०
मवोद्धवाय नमः इति पादयोः । प्रणवेन सर्वांगे । अथवा अग्निरिति मस्म । जठमिति भस्म ।
• स्थठमिति भस्म । व्योमेति भस्म । सर्वे ह वा इदं मस्मेप्येते मंत्रा गाह्याः । इति मस्मस्नानं मंत्रांतराणि । इति भस्मस्नानानंतरं गोमयेन स्नानम् । तत्र मंत्रः "मानस्बोके बनये" इति पूर्ववत् । अथवा

"गंधद्वारां दुराधर्षो नित्यपुष्टो करीषिषीमै । ईश्वरीं सर्वभूतानां तामिहोपन्हये श्रियम् ॥" अपि वा

"अग्रमग्रश्चरंतीनामोर्विधीनां वने वने । तासामृषभपत्नीनां पवित्रं कायशोधनम् ॥

"यन्मे रोगांश्च शोकांश्च पापं मे हर गोमय।" गोमयस्नाने वैकल्पिका मंत्राः। अथ भूदा स्नानं। तत्र मंत्राः

"अश्वकांते रथकांते विष्णुकांते वसुंघरे। शिरसा धारयिष्यामि रक्ष त्वं मां पदेपदे॥
"अब्बृतासि वराहेण कृष्णेन शतबाहुना। मृतिके हर मे पापं यन्मया दुष्कृतं कृतम्॥
"मृतिके ब्रह्मपूतासि काश्यपेनाभिमंत्रिता। मृतिके देहि मे पुष्टिं त्विय सर्वे प्रतिष्ठितम्॥
"मृतिके प्रतिष्ठिते सर्वे तन्मे निर्णुद मृतिके। त्वया हतेन पर्मेन गच्छामि परमां गिक्स्"॥

इति मृतिकारनानमंत्राः । अथ केवलोदकरनानम् । तत्र मंत्राः । आपो हि ष्ठेति त्रिक्तवा पूर्ववत् । अथवा इदमापः पूर्ववत् इति केवलोदकरनानम् । अथ पंचगव्यरनानानि । तत्र गोमूत्र-क्षीरद्धिषृतानां क्रमेण मरीचिना देवता द्शिताः

'दिवताः संप्रवक्ष्यामि आनुपूर्व्येण यस्य याः । वरुणो देवता मूत्रे गोमये हव्यवाहनः ॥

"सोमः क्षीरे दिन्न वायुर्वृते रिवरुदाहृत" इति । अथ देवताप्रकाशका मंत्राः प्रदर्श्यते । तत्र गोमूत्रस्नानमंत्राः "ध्रुवा सुत्वा सुन्नितिषु क्षिपन्तो व्यस्मत्पाशं वरणो मुमोचत् । अवोचन्वाना अदितेरुपस्था यूयं पात स्वस्तिभिः सदा नः" । उपलक्षणमेतत् । तस्माद्वरुणप्रकाशकाः श्रौत-स्मार्ता वा मन्त्रा अपि माह्याः । एवं सर्वत्रापि । अथ गोमयस्नानमंत्रः 'पाहिना अग्र एक्या' पूर्ववत् । अथ क्षीरस्नानमंत्रः

"उरुष्याणो अभिशस्तेः सनोनिपाह्यंहसः। सखासुशेवऽएधि नः"।(ऋ.सं.१।६।२१) अथ द्धि-स्नानमंत्रः। "आत्मा देवानां भुवनस्य गर्भो यथा वशं चरति देव एषः। द्योषः इदस्य शृणविरेनरुपं तस्मै वासाय हविषा विधेम। कृष्णनियानं हरयः सुवर्णा अपो वसाना दिवमुत्पतंति। त आववृत्र-न्स्वदनाहतस्य।दिद्धतेन पृथिवी ब्युद्यते"। अथवा पराशरोक्ता मंत्रा याह्याः।

"गाथइयाऽऽदाय गोमूत्रं गंधद्वारेति गोमयम् । आप्यायस्वेति च क्षीरं दिधिकाञ्णस्तथा दिध ॥

५५ "तेजोसि शुक्रमित्याज्यं देवस्य त्वा कुशोद्कमिति"। एतेर्मत्रैराभिषिंचामीति वाक्यशेषः पूरणीयः। एवं दश स्नानानि कृत्वा वासः परिधायाऽऽचम्य वैष्णवं श्राद्धं कुर्वीत । तप्यथा । विष्णुदेशेन त्रिभ्योऽधिकान्युग्मान्त्राह्मणान्भोजयेत् । भोजनामावे भोजनपर्याप्तमन्निहरण्यं दिवात् । एवं वैष्णवश्राद्धं विधायादिगोद्वानमाचरेत् । तत्र गोद्दानमंत्राः

"गवामंगेषु तिष्ठंति भुवनानि चतुर्दश । यस्मात्तस्मा। च्छवं मे स्यादिह लोके परत्र चेति" ॥ ३ इति गोदानानंतरमाज्येनामौ ब्याह्यतिभिरष्टाविंशतिरष्टोत्तरशतं वा हुत्वा पंचगव्यं जुहुयात् । तत्र पंचगव्यहोमप्रकारः

"ताम्रवर्णाया गोमूलं इवेतायाश्चेव गोमयम् । पयः सपीतवर्णाया नीलायाश्च दिध स्मृतम् ॥ कृष्णायास्तु घृतं चैव । अथवा पंचगध्यं कापिलं । असंभवे यथा लाभोपपलं पृथक् संख्यायाः पलपितितं वा माषाष्टकं वांऽगुष्ठार्धप्रमितगोमयिद्वगुणपित्माणं गोमूत्रम् । पलाशमध्यपत्रनिमित्ते वा पद्मपत्रविरित्ते वा सुवर्णमये वा ताम्रमये वां प्रात्रे निक्षिपेद्वायच्या प्रणवेन वा तदनंतरं द्वंगुष्ठार्द्धपितितं वा षोढशमाषपितिनितं वा द्वादशमाषपितिनितं वाऽर्द्धागुष्ठपितिगणगोमयिद्वगुणं वा क्षीरमाप्यायस्वेत्यनयर्चा प्रणवेन वा पूर्वेद्रव्यद्वयं निक्षितं तत्रेव निक्षिपेत् । अथ सप्तपलं वा दशपलं वाङ्गुष्ठार्द्धपितिमतगोमयापेक्षया पंचगुणं वा दिधकाव्ण इत्यनयर्चा प्रणवेन वा पूर्वोक्तपात्रे निक्षिपेत् । तत्रसत्वेकपलं वा माषाष्टमितं वांऽगुष्ठार्द्धपितिनतगोमयापेक्षया चतुर्गुणं वा पूर्वोक्तपात्रे निक्षिपेत् । तत्रसत्वेकपलं वा माषाष्टमितं वांऽगुष्ठार्द्धपितिनतगोमयापेक्षया चतुर्गुणं वा पूर्वोक्तपात्रे विक्षपेत् । तत्रसत्वेकपलं वा माषाष्टमितं वांऽगुष्ठार्द्धपितिनतगोमयापेक्षया चतुर्गुणं वा पूर्वोक्तपात्रे विक्षपेत् । तत्रसत्वेकपलं वा माषाचतुष्टयपितिनेतं वा कुशोदकं देवस्य त्वेत्यनेन यज्ञुषा प्रणवेन वा पूर्वोक्तपात्र एव निक्षिषेत् । प्रणवः प्रसिद्धः । गायञ्यादयो मंत्रा अस्पिन्नेव प्रकरणे पंचगव्यस्नानप्रस्तावे प्रदार्शिताः । कुशोः पंचगवमुद्धृत्य इरस्वत्यादिनिमेन्नेर्दशाहुतीर्जुहुयात् । अथ स्नुवस्थाने हरिताः कुशाः । इरावत्यादिमेन्नास्तु

इरावती घेनुमती । इदं विष्णुर्भिचकमे । मानस्तोके तनये । राज इंद्रामी भवतामवोभिः । अमये स्वाहा । सोमाय स्वाहा । गायत्री प्रहाकः । ॐर्भूर्भुवः स्वाहा । अमये स्विष्टकृते स्वाहा इति दशाहुतीहुत्वा वतमहणं करिष्ये इति बाह्मणान् पृष्ट्वा कुरुष्वेति तैरनुज्ञातो हुतरोषं पंचगव्यं प्रणवेन पिनेत् । एत्च ग्रामाद्वहिः सायं नश्चत्रक्षीने कर्तव्यं । हुतिरिष्टं मर्वे पेयं । नोच्छ्रेषणीयं । अत एव बाठवृद्धादिशक्तायपेश्चया गोमूत्राद्वीति पूर्वोक्तवैकल्पिकपरिमाणापेश्चया भ मेळनीयानि । एवं वतमहणं कुत्वा ततः परं मौनं कुत्वा आत्मनो दुष्कृतं मनसा चिन्तयिक्तिशान्मतिवाहयेत् । एवमुपक्रांतं वतं सम्यक् परं नीत्वा तत उदीच्यांगानि कुर्वीत । तत्रायं कमः । प्रायध्वित्तस्य सर्वगुणार्थमुदीच्यांगानि करिष्ये इति संकल्प्यामौ व्याद्वतिमिराज्यं पूर्ववद्धत्वा पूर्ववदेव वैष्णवश्चाद्धं विधायानंतरं गोदानमाचरेत् । प्राच्यांगकरणवेलायां वैष्णवं श्चाद्धं गोदानानंतरं होमं विधाय वैष्णवं श्चाद्धंमिति श्चाद्धानंतरं गोदानादिर्विहितत्वात् । होमा- ६० नंतरमेव हुतिरिष्टस्य पंचगव्यस्य पानेन वतस्य गृहीतत्वाच उदीच्यानुष्ठानसमये तु होमानंतरं तु गोदानादि उपक्रमे होमस्य सिन्निहतत्वाद्वसानेऽपि संनिधानस्योचितत्वात् । एवपंतरं गोदानाननंतरं तु गोदानादि दश्चत्वानि दश्चत्वानि दश्चत्वान्वस्वराणि च संग्रहकारेण प्रदर्शितानि

"गोभूतिल्रहिरण्याज्यवासोधान्यगुढानि च। रौष्यं लवणित्यादि दशद्।नानि पंडिताः"॥इति । १५ अत्र ऋगेण मंत्रा "गावो मे अग्रतः संतु०" गोदानमंत्रः । अथ भूमिदानमंत्रः

"सर्वभूताश्रया भूमिर्वराहेण समुद्धृता । अनंतसस्यफ्छदा हातः शांतिं प्रयच्छ मे ॥' तिल्लमंत्रः "महर्षेगींत्रसंभूताः कश्यपस्य तिलाः स्मृताः । तस्मादेषां प्रदानेन मम पापं व्यपोहतु ॥" अथ हिरण्यदानमंत्रः "हिरणयगर्भगर्भस्थमिति" । आज्यदानमंत्रः

"कामधेनोः समुद्धृतं सर्वकतुषु संस्थितम् । देवानामाज्यमाहारमतः शान्तिं प्रयच्छ्रं मे ॥" २० वस्त्रदानमंत्रः "शरणं सर्व लोकानां लज्जाया रक्षणं परम् । सुवेषधारिवस्त्र त्वमतः शांतिं प्रयच्छ मे ॥" गुडदानमंत्रः "यथा वेदेषु विश्वातमा प्रवरश्च जनार्दनः । सामवेदस्तु वेदानां महादेवस्तु योगिनां ॥

"प्रणवः सर्वमंत्राणां नारीणां पार्वती यथा। तथा रसानां प्रवर सदैवेश्चरसो मतः ॥ "मम तस्मात्परां रुक्ष्मीं दृद्भव गुड सूर्वदा"। रजतदानमंत्रः 'भीतिर्यतः पितृणां च विष्णुशंकरयोः सदा। शिवतंत्रोद्भवं रोप्यमतः शां०॥" रुवणदानमंत्रः

"यस्मादन्नरसाः सर्वे ह्याकृष्टा ठवणं विना । शंभोः प्रीतिकरं नित्यमतः शां०"। इति दानमंत्राः । भायश्चित्तसंग्रहे छिख्यते

प्रदक्षिणा नमस्कारास्ततस्तैर्गोद्दणस्तथा । जन्मप्रमृत्यय यावदित्यायुपदिशंतु च ॥ १ ॥ सर्वे धर्मविवेकार इत्यादि प्रार्थ्य मामनु । प्रणवंतंतमुत्सार्य निवंधं चानुवादकं ॥ २ ॥ पूज्येश्व तथा सभ्याननुवादकदक्षिणा । ततोनुवादको देशकाली संकित्यं पूर्ववत् ॥ २ ॥ २७

प्रायश्चित्तं-याजवल्कीये

तव जन्मप्रभूत्याचेत्यारभ्यार्थातिकं वदेत् । प्रत्याञ्चायेनमभ्यस्तु चित्तं यदुपदिश्यते ॥ ४ ॥ तासिन्यथाशक्ति चीर्णे प्राच्योदीच्योंगसंयुते । तव शुद्धिः कृतार्थश्च तेन त्वं हि भविष्यसि॥४॥ त्रिपुरेवमुक्तेंगीकुर्याद्भवतोऽनुंबंहै स्विति । तस्मिन्नहन्युपवसेदशकस्तु हविष्यकम् ॥ ६ ॥ भक्षयेदशरिकायां सायाह्ने तु नदीतटे। देशकालादि संकीत्ये मम जन्मप्रभारयथ॥ ७॥ यावदंगीकृतं चित्तं संकल्प्य वपनं चरेत् । यानि कानीति मंत्रेण कक्षोपस्थशिखां विना ॥ ८ ॥ 4 द्वादशांगुलकाष्टेन दंतानसंशोधयोततः । आयुर्वे । यश इति ततः स्नानं समाधीत् ॥ ९ ॥ ईशानं तु शिरे हेशे मुखे तत्पुरुषं तथा। अये ग्संतं हृत्ये वामदे ं तु गुद्ध हे ॥ १०॥ संबोजातं पाद्युग्नं सर्वागे प्रणवेन तु । भस्मस्नानमि इ प्रोक्तमथ मंत्रेर्मृद् हिमेः ॥ १९ ॥ अग्निरित्यादिभिर्वापि भस्मस्नानमुदीरितम् । भस्मगोमयमुन्मंत्रपंचगव्यकुशोद् कैः ॥ १२ ॥ दश स्नानानि कुर्वीत विष्णुआद्धं ततश्चेत् । गोपदानमथाज्येन हुनेद्याहितिभिर्घृतम् ॥ १३ ॥ अष्टोत्तरहातं वाऽथ अष्टाविंशतिरेव वा । पंचगव्यं समृत्याद्य तत्तन्मंत्रैर्यथाविधि ॥ १४ ॥ **स्कर्मादिपत्रेऽप्यथवा पात्रे पद्मादिके ततः।** ताम्रायाश्चिपलं मूत्रं गायञ्या प्रणवेन वा ॥ १५ ॥ अंगुष्ठार्द्धं इवेतगव्या गंथद्वारोति गोमयम् । आप्यायस्वेति कपिलापयः सप्तगलं ततः ॥ १६ ॥ दाधिकाव्या इति दाधि नीलायाः पलसप्तकं । धृतं मिमिक्षे कृष्णाया घृतमेकपलं भवेत् ॥ १७ ॥ आपो हिष्टेति मंत्रेण पलमेकं कुशोदकम् । देवस्य त्वेति वाऽऽदायाथालोड्य प्रणवन तु ॥ १८ ॥ याज्ञियेनैव काष्ठेन निर्मध्य प्रणवेन च । प्रणवेनैवाभिमंज्य मंत्रैरेभिर्दशाहुतीः ॥ १९ ॥ जुहुयात्सप्तपत्रेस्तु त्रिमिश्च हरितैः कुरौः । इरावतीदं विष्णुर्मानस्तोके ब्रह्मनामये ॥ २०॥ सोमाय च ततो हुत्वा गायञ्या प्रणवेन च । भूर्भुवः स्वश्चेति ततोऽप्रये स्विष्टकृते हुनेत् ॥ २१ ॥ बतग्रहं करिष्येऽथ दिजान पृष्ट्वा पिबेत्तु तत्। यत्नगछातिमंत्रेण काळे नक्षत्रदर्शने॥ २२॥ अनुष्टायाथ तिचितमुत्तरांगं ततश्चरेत् । व्याहृत्या पूर्ववद्धत्वा विष्वर्चान्तः प्रदानकम् ॥ २३ ॥ प्रायश्चित्तमिदं प्रोक्तं दश दानानि शक्तितः। मंत्रहीनं क्रियाहीनमित्याद्यक्त्वा हिरं स्मरेत् ॥२४॥ प्रायश्चित्तं मया चीर्णं यद्चिछदं ममास्तु तत्। प्रतिबूयुर्द्धिजाः सर्वेऽप्यच्छिदं ह्येतदस्तु ते॥२५॥"

इति सर्वप्रायश्चित्तं । सर्वप्रायश्चित्तप्रयोगो लिल्यते । तत्र षटद्वं न्यद्वं साद्धीद्वं वा यथा-शाकि सुवर्णादि प्रत्याम्मायद्वारा कुर्यात् । तद्यथा । चृतुरस्त्रीनकैकं वाऽध्याःमविदं पर्धत्वेन उपवेश्य अप कृतस्नानः शक्तो सत्यां क्रिजवासा अमुंजानः प्रदाक्षिणीकृत्य हृद्येन हृद्यतां घरण्यां साष्टांगं प्रणमेत् । ततस्तैः किं ते कार्यं मिथ्या माऽनादीः सत्यमेव वदेत्यादि पृष्टे पर्वद्ये गोवृषयोः प्रत्येक-माम्नायत्वेन यथासुवर्णकृष्ययोः निष्कं तद्धे वा निधाय अमुकस्य मे जनमप्मृति अद्य यावत् ज्ञानाज्ञानकामाकामसकृदसकृत्कृतक।यिकवाचिकमानासिकसांसर्णिकस्पृष्टास्पृष्टभुक्तामुक्तपीतापीत-सकलपातकातिपातकोपपातकलघुपातकसंकरीकरणमिलनीकरणअपात्रीकरणजातिभंश वरप्रकीर्ण-३० पातकानां निरासार्थं अनुमहं कृत्वा प्रायश्चित्तमुपदिशंतु भवंतः । तथा

"सर्वे धर्मविवेकारो गोप्तारः सकला द्विजाः। मम देहस्य संशुद्धिं कुर्वतु द्विजसत्तमाः॥

१ हुनेदिति-आर्षप्रयोगः।

"मया कृतं महाधोरं ज्ञातमज्ञातिकिलिषं । प्रसादः कियतां महां शुमानुज्ञः प्रयच्छथ ॥ "पूज्यैः कृतपवित्रोऽहं भवेयं द्विजसत्तमैः"। एवं प्रार्थयेत्पुत्रादिश्चेत्प्रायाश्चित्तकृत्तद्गाऽसमच्छव्द-स्थाने तन्नाम निर्दिशेत् । प्रार्थनानंतरमनुगृह्णंतु भवंत इति प्रणमेत् । ततस्त एनमुःसार्य तस्य शरीरद्रव्यादि यथाशाक्तिमुत्तममध्यमादिपक्षाश्च विचार्य आसिन्पक्षे अस्मिन्पक्षे अयं शक्त इति निश्चित्य पुस्तकवाचनपूर्वकं कथयेयुरनुवादकस्याग्रे प्रत्याम्नायाश्च शक्त्या कल्पयेयु: । आस्मिन्काले ५ प्रायश्चित्तकृचंदनपुष्पादिभिः पुस्तकपूजां सभ्यानुवादकपूजां च विधाय निवंधपूजात्वेन च किंचियथाशक्ति द्वयं निधाय कृतांजिलपुटो नम्रस्तिष्टेत् । अनुवादकाय पापानुसारेण भृतिरूपां दाक्षणां द्यात् । ततोऽनुवाद्कः पूर्वोक्तविशेषेण विशिष्टानां पूर्वोक्तानां महा-पर्ष इप।दिष्टेन पातकव्यतिरिक्तानां पातकानां क्षयः अनेन प्रत्याम्नायद्वारा प्राच्योदीच्यांगसहितेन चीर्जेन तव शुद्धिभीविष्यति तेन त्वं कतार्थो , शक्त्यनुसारेण षडब्दं ज्यब्दं सार्द्धार्द्ध भविष्यसीत्यपदिशेत्रिः तच सर्वप्रायाश्चित्तं 1 पर्षदोनुमतम् । प्रत्याम्नायाश्च गायन्ययुतजपतिलहोमसहस्रदादशबाह्मणभोजन-तीर्थयोजनयात्रायां एकगोदाने सुवर्णरूप्यनिष्कतदर्धतद्र्धानां यो गोमूल्यानां शक्त्या दाने शुद्धकेशस्य द्वादशस्नानेषु द्विगुणद्वादशामान्नदानादौ च एकः प्राजापत्य इति । तत्र शक्तस्यामानं द्विगुगम् । द्वव्यं चतुर्गुगमित्यादि योज्यम् । निष्कश्च लोकशास्त्रयोरेक- १५ वाक्यतायां माषाः ४० । तद्धी २१ । मुख्यसुवर्ण । तद्शक्तौ रजतं ग्राह्यम् । ततो निवेदित-प्रायिश्वत्तं तव अनुग्रह इत्यंगीकृत्य संमानपूर्व प्रणम्य पर्षदं विसुजेत् । अस्मिन्नहिन शक्तेनो-थवासः कार्यः । इतरेण हविष्याशनं ततः कस्यां चन्द्रिकायां तिथौ क्रुतमाध्यान्हिकः सायान्हे गंगावौ देशकालौ संकीर्य अमुक्शर्मणे मम जनमप्रभृति अद्य यावत् ,ज्ञानाज्ञानकामाकामसक्वरसक्कत-कायिकवाचिकमानसिकसांसर्गिकमुक्ताभुक्तपीतापीतसक्रुपातकातिपातकोपपातकसंकरीकरण- १० मिलनीकरणअपात्रीकरणजातिश्रंशकरपकीर्णपातकानां निरासेन अस्मिनकाले शुद्धवर्थं परमे-श्वरप्रीत्यर्थे चामुकप्रायश्चित्तममुकप्रत्याम्नायेन प्राच्योदीच्यांगसहितं यथाशाक्ति करिब्ये इति संकल्प ततो वपनम

''यानि कानि च पापानि बह्महत्यासमानि च । केशानाश्रित्य तिष्ठंति तस्मात्केशान्वपाम्यहम् ॥" इति मंत्रेण शिखाकक्षोपस्थवर्जं नखरोमाणि वपयित्वा प्राङ्गुखो द्वाद्शांगुलद्दंतकाष्ठेन

"आयुर्वतं यशो वर्चः प्रजाः पशुवस्नि च । ब्रह्म प्रजां च मेथां च त्वन्नो देहि वनस्पते "॥

इति दंतानसंशोध्य स्नात्वा भस्मादिस्नानं कुर्यात् । अथ भस्मस्नानप्रयोगः। प्रक्षात्य
पादौ हस्तौ च शुद्धे आसने उपविश्य आचम्य त्रिः प्राणायामं कृत्वा भस्मस्नानं करिष्य इति
संकल्प्य । ईशानाय नम इति शिरसि । तत्पुरुषाय नम इति मुखे । अधोराय नम इति हृद्ये ।
वामदेवाय नम इति गुह्ये । सद्योजाताय नम इति पाद्योः । प्रणवेन सर्वामे । यद्वा अग्निरिति ।

भस्म । वायुरिति भस्म । जलमिति भस्म । स्थलमिति भस्म । व्योमिति भस्म । सर्व ह वा इदंक्र

"अग्रमगं चरंतीनामोषधीनां रसं वने । तासामुषभपत्नीनां पवित्रं कायशोधनम् ॥
"तन्मे रोगांश्च शोकांश्च नुद् गोमय सर्वदा" । स्नानं कुर्यात् । अथ सृत्तिकास्नानम् ।

प्रायाश्चेत-याज्ञवल्कीये

आचम्य प्राणानायम्य प्रायश्चित्तांगभूतं मृतिकास्नानं करिब्ये इति संकॅल्यं उपस्पृश्य। अश्व-कांते सहस्रपरमादेवीति भूमिर्द्भवे अभिमंज्योऽख्वतेति नदीतटाङ्घोष्ठमादाय कांडात्कांडादिति द्वाभ्यां दूर्वामादाय मृत्तिके हर मे पापमिति दूर्वी छोष्टं च प्रतिष्ठाप्य यत इंद्र भयामहे स्वस्तिदा स्वस्ति न इंद्रो वृद्धश्रवा त्रातारमिंद्रमिति प्रतिमैत्रं प्रतिदिशं लोष्टमुत्सुज्य स्योना पृथिवीति 🥞 पृथिव्यामूर्ध्व ऊषुण ऊतय इत्यूर्ध्व गंधद्वारामिति लोष्टमादायोद्धत्यं जातवेदसामिति सूर्याय संदर्भ सहस्रशीर्षेति ।शिर आिष्य श्रीमें मजित्विर्ति **ल्लाटमुपस्पृ**ह्य प्रदक्षिणीकृत्य हस्तस्थं लोष्टमृत्मुज्य विष्णुमुखा इति मुखं ओजो नश्यत्वित्यातमानं भीवाभिरिति ग्रीवा महाथ इंदो वज्रवाहुरिति बाहुं सोमानथ स्वरणमिति कक्षी शरीरं यज्ञशमलिमिति शरीरं ब्रह्मजज्ञानिमिति स्तनौ नाभिमें वित्तं विज्ञानिमिति नाभि विष्णो-^{३ •} रराटमसीति पृष्ठनापांतमन्युरिति कटिं वरुणस्य स्कंभनमसीति मेदूमानंदनंदावित्यण्डावूरुत्रोरोज इत्युरुजंघाभ्यामिति जंघयोश्वरणं पवित्रमिति चरणमिदं विष्णुरिति द्वाभ्यां पादौ त्रीणि पदा विचक्रम इत्यधस्तलपादौ सजोषा इंद्र सगणो मरुद्धिर्दुर्वासहितं रोषं लोष्ठं शिरसि निधाय सुमित्रा न आप ओषधय: संत्वित्यासनमभिषिंचेदुद्कांजिलमादाय दुर्मित्रास्तस्मै भूयासुरिति प्रथमं योऽस्मां द्वेष्टीति द्वितीयं यं च वयं द्विष्म इति तृतीयमुद्दकमुत्सिच्य हिरण्यशृंगमिति तीर्थ-१५ मिममंज्यापोवगाह्याचम्यापोहिष्टामयो भुत्र इति तिसृभिर्हिरण्यवर्णाः शुचयः पावका इति चतसुभिः पवमानः सुवर्जनः इत्येताननुवाकेनान्यैर्वा पवित्रमंत्रैर्मार्जियत्वा नमोऽग्रयेऽप्सुमत इति नमस्क्रत्य यद्पांकूरमित्यपोऽभिमंत्र्येमं में गंगे इति दक्षिणं हस्तांगुष्ठमप्सु त्रिः प्रदक्षिणमावतैयित्वा-ऽचमर्षणम् कस्याचममर्षण ऋषिः । भाववृत्तं देवता । अनष्टुग्छंदः । मम सर्वाचनिर्हरणार्थे जपे विनियोगः । ऋतं च सत्यं चेत्यघमर्षश्रासूक्तमंतर्जले त्रिवारं द्विवारं वा जप्त्वा प्रवाहाभिमुखं त्रिः २० स्नायात्। इति मृतिकास्नानम्। एतावत्यशक्तौ अश्वकांते इत्यादिभिरंगोद्वर्तनमात्रम्। तत आपो हि हेति शुद्धोद्देन स्नायात्। अथ पंचगटयस्नानानि। गायत्रिया गोमूत्रेण। गंधद्वारामिति गोमयेन । आप्यायस्वेति क्षीरेण । द्धिकांच्ण इति द्व्ना । घृतं मिमि० घृतेन । देवस्य त्वेति कुशोदकेन स्नानं कुर्यात् । देवस्य त्वेतिमंत्रेणअभिषिंचामीति वाक्यशेषः । स्त्रीणां शूद्राणा- 🥕 ममंत्रकाणि स्नानानि । एवं दश स्नानानि विधाय व्याहतीभिर्देवर्षिणितृंस्तर्पयित्वा शुची वो १५ हच्यामिति वस्त्रमद्भिः प्रोक्ष्य देवस्य त्वेति वस्त्रमादायायावधूतमित्यवधूयोदुत्यं जातवेदसमित्यादित्यं द्रीयित्वाऽऽवहंतीति पंचवाक्यैर्वासः परिधायाचम्याऽऽसने उपविरय त्रीन्प्राणायामान्धारयित्वाऽष्ट-शतगायत्रीं जपेद्वाद्वाणः पूतो भवत्यष्टसहस्रगायत्रीं जपेद्रोगी रोगात्प्रमुच्यते द्वादशसहस्रगायत्री जपेद्ब्रह्महत्यागोवधगुरुतत्व्पगसुरापसुवर्णस्तेयानामन्येषां च सर्वपापानां प्रणाशनमिति विज्ञायते

इत्याह भगवान्वौधायनः (गृ. सू. ५१४)। ततो

"गवामंगेषु तिष्ठंति भुवनानि चतुर्दश । यस्मात्कस्माच्छिवं मे स्यादिह लोके परत्र चेति ॥"

संत्रेणादिगोदानं प्रत्यक्षं निष्कद्वारा वा कुर्यात् । ततो विष्णुद्देशे चतुरो ब्राह्मणान्पूजापूर्वकं भोजयेत् ।

आमानं वा द्यात् । इदमेव प्रायश्चित्तांगभूतं विष्णुश्राद्धमित्यभिधीयते । ततोऽभिस्थापनाद्याज्यसंस्कारांते आज्येन व्याह्दतीभिः पापहाविष्णुद्दशेनाष्टाविंशतिरष्टाचरशतं आहुतीर्जुद्धयात् ।

तद्भ पंचगव्यं कार्यम् । सुवर्णादिपात्रे पद्मादिपात्रे वा गोमूत्रं त्रिपलं गायञ्या प्रणवेन वा आद्य

ततोंऽगृष्ठपरिमितं गोमयं गंधद्वारेत्यादाय ततः सप्तपलमाप्यायस्वेति मंत्रेणे एकपछं घृतं मिमिक्षिर इत्यादाय एकपलं कुशोदकमापो हि छेत्यादाय तत्सर्वे प्रणवेनालोडच यज्ञियकाष्ठेन मयूलैः स्वाहाभिनंज्य सप्तपत्रैहिरतैः कुरोर्द्शाहृतीर्जुहुयाद्भिनंत्रैः। मंत्रश्च । इरावती धेनुमतीति संहितापाठेन मयुलैः स्वाहा । पृथिव्या इदं । इदं विष्णुर्विच ० सुरे स्वाहा । विष्णव इर्दे । मा नस्तोके० विधेमते स्वाहा । रुद्धायेदम् । ब्रह्म जज्ञानं० विवः स्वाहा । 🥞 ब्रह्मण इदम् । अग्नये स्वाहा । अग्नय इदं । सोमाय स्वाहा । सोमायेदं । तत्सवितुर्वरेण्यं ० या-स्त्वाहा । सूर्यायेदं । ॐ स्वाहा । प्रजापतय इदं । मूर्भुवः सुवः स्वाहा । प्रजापतय इदम् । अग्रये स्विष्टकुते स्वाहा । अग्नये स्विष्टकुते इदम् । वतम्रहणं करिष्य इति द्विजानपृद्धा तैः कुरुष्वत्यनु-ज्ञातः प्रणवेन पंचगव्यं सर्वे पिबेत् । एतच मामाद्धिर्निद्यादेस्तीरे गृहे वा कार्यम् । अशकौ गोमुत्रादि स्वल्पं ग्राह्मम् । सर्वस्य पेयत्वात् । अस्मिन्दिने उपवासः शकौ सत्यां अशक्तस्य हविष्या- १० शनम् । इति पंचगव्यं प्राइय गृह आगत्य त्रिष्णुं स्मरन्मोनी निशामतिवाद्य प्रकांतं प्रायश्वित्त-संकल्पानुसारेण प्रत्याद्रायद्वारा कुर्यात् । ततो विष्णृह्देशेन त्रिभ्योधिकान्त्राह्मणान्पू नापूर्वकं भोजयेत् । आमात्रं वा द्यात् । इदमेव प्रायश्चित्तांगभूतं विष्णुश्राद्धभित्यभिधीयते । ततोऽमि-स्थापनादिपूर्ववदष्टाविंशतिव्यद्धितीर्जुहुयात् । एवं प्रायश्चित्तं क्वत्वांऽत्यगोदानं कुर्यात् । शक्तौ सत्यां द्श दानानि द्यात् । तानि च

''गोभूतिलहिरण्याज्यवासोधान्यगुडानि च । राष्यं लवणमित्याहुर्दश दानानि पंडिताः॥" इति उक्तानि । अथ तेषां मंत्राः । गवामंगेषु वि. पूर्ववद्गोदानमंत्रः ।

"सर्वभूताश्रया भूमिर्वराहेण समुद्धृता । अनंतसस्यफेलदा अतः शांतिं प्रयच्छ मे ॥" भूमिदानमंत्रः । "तिलाः पापहरा नित्यं विष्णोर्देहसमुद्भवाः। तिलदानेन सर्वात्मे पापान्नाशय केशव॥"तिलदानमंत्रः । "हिरण्यगर्भगर्भस्थं हेमबीजं विभावसौ । अनंतपुण्यफल्यमाहारमतः शांतिं प्रयच्छ मे ॥"हिरण्यदानमंत्रः । "कामधेनुसमुद्भृतं सर्वकृतुषु संस्थितम् । देवानामाज्यमाहारमतः शांतिं प्रयच्छ मे ॥" वस्त्रदानमंत्रः । 'धान्यं करोविदातारिमह लोके परत्र च । तस्मात्प्रमुच्यते धान्यमतः शांतिं प्रयच्छ मे ॥"धान्यमंत्रः । ''यथा रसानां प्रवरः सदैवेक्षुरसो मतः । मम तस्मात्यरां लक्ष्मीं द्दस्व गुढ सर्वदा ॥"गुढदानमंत्रः । ''रसानामग्रजश्रेष्ठं लवणं बलवर्द्धनम् । सर्वस्वादुरसं नित्यमतः शांतिं प्रयच्छ मे ॥" लवणमंत्रः ।

एवं दश दानानि दत्वा मंत्रहीनमिति वदन विष्णुं स्मरन् एतानि दश दानानि सभ्येभ्य २५ एव तदसंभवे अन्येभ्योऽपि । ततः यन्भया कृतम् अमुकं प्रायश्चितं तत् अछिद्रमस्तु इति कर्जा उक्ते अछिद्रमस्त्विति ब्राह्मणाः प्रतिकुर्युः । यद्वा

''वतिच्छदं तपच्छिदं याच्छदं यज्ञकर्मणि। सर्वे भवतु तेऽच्छिदं यस्य चेच्छंति वै द्विजाः ॥''

इति प्रतिवचनम् । एतःप्रायाश्चित्तमक्वत्वैव यदि पित्रादि मृतस्तदा पातकसत्तानिश्चये पुत्रादिना इदमवहयं कर्तव्यम् । अनिश्चये नावहयकम् । पुत्रादिना करणे पंचगव्यप्राशनाभावः । ३० यो मुमूर्षुः पुरुषः स्वयं चेतनवेलायां श्रोत्रियं वेदविदं बाह्मणमाहूय उदङ्गुलः उपवेहय स्वयं प्राङ्मुलः सन् आचम्यप्राणानायम्य देशकालौ संकीर्त्यं अमुकगोत्रोऽमुकशर्मणो मम सुलेन प्राणो-स्कर्मणप्रतिवंधकोक्तनिष्कृतिअनुक्तनिष्कृति सक्लपापक्षयद्वारा सुखप्राणोत्कमणार्थं यथाशक्रया-लंकृतां इमामुत्कांतिथेनुं स्वदैवत्यां अमुकगोत्रायामुकशर्मणे तुभ्यं संप्रदेवे इत्युक्त्या अत्युत्कांतौ

प्रवृत्तस्य स्रोत्क्रमणसिद्धये तुभ्यं संप्रद्दे नाम्ने इमामुक्कांतिसंज्ञिकां इमं मंत्रमुक्त्वा न ममेति विष्रे हस्ते जलान्नजपेत् । सोऽपि देवस्य त्वेति विधिना स्वस्तीति प्रतिगृह्णीयात् । गोरभावे तस्त्वरूप-भूतं मौल्यं वा द्यात् । पित्रादेरशक्तौ पुत्रादि द्यात् । तत्र ममपदस्थाने पितुरिति । भथं वैतारणीदानम् । आचम्य प्राणानायम्य देशकालौ संकीर्त्य अमुकशर्मणो मम यमदारस्थित-

५ वैतरण्याख्यानयुत्तरणार्थे गोदानमहं करिष्ये । ब्राह्मणमाह्य यथाशक्ति समर्भ्यच्ये "चेनुके त्वं प्रतीक्षस्व यमद्वारे महापथे । उत्तितीर्षुरहं देवि वैतरण्ये नमोऽस्तु ते ॥"इति धेनुं प्रार्थ्य "विष्णुरूप द्विजन्नेष्ठ भूदेव पिक्किपावन । तर्तुं वैतरणीमेनां कृष्णां गां ते ददाम्यहम्॥"इति ब्राह्मगं प्रार्थ्य

"यमद्वारे पथे षोरे तप्ता वैतरणी नदी । तां तर्जुकामो यच्छामि कृष्णां वैतरणीं तु गाम् ॥" इमं मंत्रमुक्त्वा अमुकगोत्रोमुकनामाहम् अमुककार्मणे तुम्यम् इमां गां कृष्णवस्त्ररक्तमाल्याय छंकुनां विश्वाद्यात् अमुकगोत्रोमुकनामाहम् अमुककार्मणे तुम्यम् इमां गां कृष्णवस्त्ररक्तमाल्याय छंकुनां विश्वाद्याद्यात् । सोऽपि देवस्य त्वेति प्रतिगृह्णीयात् । कृष्णाया अमावे अन्यवर्णापि देया । गोरभावे द्रव्यं देयम् । पित्रादेरशक्ती पुत्रादिर्द्यात् । तत्र आद्यमंत्रे उत्तितीर्षुरयमिति पठेत् । द्वितीयमंत्रे तर्तु वैतरणीमस्येति । तृतीये तां तर्जुमस्येति । इति वैतरणीदानम् । अथ तिल्यात्रद्यात् । यथाशक्ति कांस्यपात्रे तिलान् क्षिप्ता सुवर्णं च । तत् आचम्य प्राणानायम्यायेत्यादि जन्मप्रमृतिमरणांतं कृतनानाविध्याप-

१५ शमनार्थं तिलपात्रदानं करिष्ये इति संकल्य बाह्मणमाहूयाभ्यच्यं मम जन्मारभ्य मरणांतं नाना-विधक्कतसर्वपापप्रशमनार्थं तिलपात्रं सदक्षिणां अमुकगोत्रायामुकशर्मणे तुभ्यं संप्रद्दे

"तिलाः पुण्याः पवित्राश्च तिलाः सर्वकराः स्मृताः । शुक्का वा यदि वा क्वष्णा ऋषिगोत्रसमुद्धधाः॥ "यानि कानि च पापानि ब्रह्महत्यासमानि च । तिलपात्रप्रदानेन तानि नइयंतु सर्वदा ॥ "महर्षेगोत्रसंमूताः करुयपस्य तिलाः स्मृतृाः । तस्मादेषां प्रदानेन मम पापं व्यपोहतु ॥" इति

२० मंत्रमुक्ता न ममेति विप्रहस्ते जलं क्षिपेत् । पुत्रादिस्तु अस्य पापं व्यपोहतु इति वदेत् यहा अयं मंत्र:

" यो देवः पितृरूपेण हव्यक्व्यभुगव्ययः । तिल्पात्रप्रदानेन स मे विष्णुः प्रसीद्तु ॥" दात्रेतरे । "सोऽस्य विष्णुः प्रसीद्तु" इति पठेत् । एत्न्मंत्रपञ्जे विष्णुप्रीतिरेव फलस्वे उद्घेष्ट्य । इति तिल्पात्रदानम् । इति प्रायश्चित्तप्रयोगः ।

कर्मविपाके साधारणं उच्यते । रोगीपापानुसारतः प्रायश्चित्तं कृयीत् । ततः संभागनुप-कल्प्य दानं कुर्यात् । व्याधिप्रतिकृतिदानं कुर्यात् । सूर्यप्रतिमां परेन तद्धेन तद्धेन वा द्विलोचनां द्विभुजां हस्तद्वये पद्मद्वयं द्धानां कुर्यात् । व्याधिप्रतिमालक्षणं तत्तत्वकरणेऽभिधास्यते । मंडपं कुंडं वेदिकां च कुर्यात् ।

अथ कमीविपाकरोगहरसाधारणप्रयोगः । रोगी रोगानुसारेण प्रायश्चित्तं कुर्यात् । ततः शुभे दिने संमृतसंभारः शुचिराचम्य प्राणानायम्य मया जन्मांतरे कुतस्य अमुक्पापस्य प्रायश्चित्ताकरणेन अनेन शरीरेण अनुभूयमानस्य तज्जन्यामुकरोगस्यैत-च्छरीराविरोधेन नाशार्थममुकदानात्मकतयात्मकं होमात्मकं वा कमे करिष्य इति संकल्प्य तदंगत्वे गणपतिपूजनं स्वस्तिपुण्याहवाचनं मातृकापूजनं नांदीश्राद्धं च कुत्वाऽऽचार्य-बह्मसहिता दश देवता कृत्विग्वरणं कुर्यात् । ततो वस्नाठंकारभूषणकमंडलुआसनादिभि-

कमीविपाकरीगहरसाधारणप्रयोगः !

प्रकरणम् ५ ३२७ श्लोकः

मेंधुपकीदिपूजां कुर्यात् । ततः कुतोपवास आचार्यो यदत्र संस्थितं भूति त्यादि संकल्पपूर्वकं मंडपप्रतिष्ठां कुर्यात् । ततोऽप्रयुत्तारणपूर्वकं रात्रौ सूर्यप्रतिमां आतंकनाम्नीरोगप्रतिमां चायि-वासयामीति वेदिकायां गंधपुष्पाक्षतैरिधवास्य सूर्याय नम आतंकनाम्नये अमुकव्याधिदेवताये नम इति नाममंत्रेण षोडशोपचारपूजां कुत्वा सौराष्टाक्षरेण सूर्यपूजां च कुर्यात् । ततोऽर्थरात्रौ क्रित्वयुत आचार्यो मंडपाद्विहः पायसवित्वं द्यात्तत्र मंत्रः

"आदित्या वसवो रुद्रा देवा भूतानि पन्नगाः। बिह्नदानेन दत्तेन शांतिं कुर्वेतु सर्वद्रा॥" इति।
ततो रात्रौ जागरणं कुर्यात्। तत उषासि स्नात्वा श्वेतवाससीपिरिहितः शुक्कमाल्यानुरुपनः सार्छकारो वेदिकाया उपि गोमयेन मंडलाकारं चतुरसं मंडपं लिप्य तस्योपिर पिष्टेन तंडुलचूर्णेनाष्ट्रदलं पन्नं लिखित्वा तस्योपिर तिर्छैः पंचचतुश्चिमिन्नां द्रोणे राश्चिं कृत्वा तस्योपिर अष्टिमिश्वतुर्भिद्दीभ्यां वा पर्छैः कृतं ताम्रपात्रं शालेये राक्षितैः पूर्ण संस्थाप्य तत्राष्ट्रदलं कमलं लिखित्वा १०
तस्योपिर हैममष्टदलं कमलं संस्थाप्य ततः रोगप्रतिमां पूर्वप्रतिमां च पंचगव्येनाष्टाक्षरेण
स्नापितां वस्रालंकारयुक्तां ताम्रपात्रोपर्यष्टदलसुन्नर्णकर्णिकायां स्थापयेत्। घृणिः सूर्यः आदित्यः
इत्यष्टाक्षरस्य सौरमंत्रस्य देनोमर्गऋषिः सूर्यो देवता गायत्री छंदः। अथ ध्यानं

"दीप्यमानप्रभाचकं सांद्रसिंदूरभूषितम् । पन्नौ द्धानं हस्ताभ्यां स्मेरवके द्विठोचनम् ॥

"दिन्यामरणसेपन्नं रक्तन्नगंधवाससम्। सागं हेमारविन्दस्य कर्णिकायां निषेदुषम्॥" इति १५ ध्यात्वा, रोगप्रतिमां सूर्यप्रतिमां च स्थापयेत्। ततः पूर्वपत्रस्य द्रुप्रथममागे शुक्रं स्थापयेत्। एवमाग्नेयद्ञादिषु अंगारकबुधराहुगुरुमंद्इंदुकेतुन्क्रमेण स्थापयेत्। कर्णिकामध्ये सूर्यसमीपे अश्विनीभरणीकृत्तिका चेति त्रीणि नक्षत्राणि स्थापयेत्। ततः पूर्वद्रुस्यामे रोहिण्यादित्रीणि त्रीणि। एवमुत्तरत्रापि त्रीणि त्रीणि नक्षत्राणि स्थापयेत्। ततः सौराष्टाक्षरेण सूर्यस्यान्येषां नाममंत्रेण चतुर्थतेन नमोयुक्तेन पूजां कुर्यीत्। क्षीरनैवेदं द्यात्। तत आचार्यश्वतुर्मि- २० र्त्ताव्यिग्नः सहितस्तत्रैव तिलराशिसमीपे वेदिकायां पूर्वस्यां दिशि धान्यराशौ लोहितान्नवान-व्रणान् पंचकलशान् मही व्यौरित्यादिभीः स्थापयेत्। जलेनापूर्यं कलशे प्रत्येकं नवरत्नानि

"अश्वस्थानाद्गनस्थानाद्वर्लीकात्संगमाद्धदात् । राजद्वारान्मृतिकाश्चंदनकठशसहिताः॥

रोचनागुग्गुलपंचपल्लवानिक्षिण्य अलंकृतमुख्यान्त्र्वेतवस्त्रेण वेष्टितान्स्थापयेत् । ततो वरुणमावाद्य संपूज्य वस्त्रमाणमंत्रान्यठेत् । आपो हि ष्ठा मयो भुव इति तृचस्य सिंधुद्वीप ऋषिः । २५
आपो देवता गायत्री पाठे विनियोगः । हि९ण्यवर्णा इति तृचस्याग्निकांडपतित्वेन अग्निर्ऋषिः
आपो देवता त्रिष्टुण्डंदः । पाठे विनियोगः । आ नो भद्रेति दशर्चस्य सूक्तस्य गौतमो
राहुगण ऋषिः । विश्वेदेवा देवताः । आद्या पंचमी सप्तमी जगत्यः षष्टी विराट् ।
शेलास्त्रिष्टुमः । पाठे वि० । स्वस्ति नो० मिमीतामिति पंचर्चस्य आत्रेयस्वस्त्यात्रेय
ऋषिः । विश्वेदेवा देवताः । तिस्रस्त्रिष्टुमो दे अनुष्टुमौ । द्वौ शं न इंद्राग्नी इति पंचदशर्चस्य १०
स्कस्य विषठ ऋषिः । विश्वेदेवा देवताः । त्रिष्टुप्छंदः । रक्षोहरणमिति पंचिवेशर्चस्य सूक्तस्यांगीरसऋषिः । अग्निर्वेवता । त्रिष्टुप्छंदः । अत्याश्चतस्रोऽनुष्टुमः । आश्चः शिशान इति
त्रयोदशर्चस्य सूकस्य इंद्रोप्रतिरथ ऋषिः । इंद्रो देवता । त्रिष्टुप्छंदः । चतुरोऽनुष्टुमः । अंत्यात्रिष्टुप्
त्यमूषुवाजिनमिति तृचस्य अरिष्टनेमिताक्ष्यं ऋषिः। ताक्ष्यों देवता । त्रिष्टुप्छंदः । शांतिपाठं विनियोगः।
इस्याश्वरायनानां शांतिः । अथ तैसिरीयाणांच्योषशांतिः। तत्र शको वातः पवतामित्यनुवाहस्य

्रायश्चित्त-याज्ञवल्कीये

सोमकांडांत:पातित्वात्सोम ऋषिः । वातादयो हिंगोक्ता विशेषा देवताः । आद्या षट्पदा जगती दितीया गायत्री इडाये वास्त्वसीति प्रतिष्ठासीति च दे यजुषी। आवा तवाहीति दे अनुष्टुमौ। यद्दोवात इति पंचपदा पिक्कः । वात आवात्विति दे गायत्र्यो भू: प्रपय इति अंतरिक्षं इति प्राणापानाविति च त्रीणि यजूषि । युभिरकुभिरिति त्रिष्टुप् । क्यानश्चित्रा इति तिस्रो गायत्र्यः । वयः स्पर्णा इति जिल्ला । स्राने देवीरिति दे गायत्र्यो । समित्रा नः दुर्गित्रा इति दे यतुषी । आपो

- वयः सुपर्णा इति त्रिष्टुप् । शन्नो देवीरिति द्वे गायञ्यो । सुमित्रा नः दुर्मित्रा इति दे य नुषी । आपो
 हि छेति तिस्रो गायञ्यः । पृथिती शांतेति अंतिरक्षः शांतिमिति यौ शांतोति पृथिती शांतिरिति
 तयाहशांत्येति एह श्रीश्च ह्रश्चिति षड् यजुंषि । उदायुषेत्यनुष्टुप् । चक्षुरित्याकृतिः । उद्गादिपद्किःअतुष्पद्म । ब्रह्मणश्चोतन्यसीति यजुरादिकामा महदोधीति एकपदा गायत्री । मेघा
 मनीषेति यजुः । आमिर्गीमिरित्यनुष्टुप् । ब्रह्मप्रावादिष्णेति यजुः । शांतिपाठे विनियोगः ।
- १८ ततश्चतुरो बाह्मणान् जपार्थ वृणुयात् । ते च सूर्यमंत्रमयुतं तद्धिकं वाऽयुतार्धे वा तद्धे वा प्रत्येकं मिलित्वा वा जपेयुः । इदं च संख्या प्रधानमंत्रजपे । सूर्यव्यति-रिक्तेतरग्रहनक्षत्रमंत्रजपे तु शक्त्यनुसारेण प्रधानमंत्रजपसंख्यातो न्यूनसंख्यया जप्तव्यम् । ततो दर्भाणां मुष्टिना सुवर्णशलाकया दर्भगर्भेण वा शिरःप्रभृति पादपर्यतं यथालिंगं त्रिःप्रमृज्य ततः शांतिपाठं कुर्वन् कत्विगादिभिर्बाह्मणेः सहितस्तैः पूर्वस्थापितस्नानकलशांभोभि-
- ९५ राभिषच्य स्वयमाचार्यः पुनर्यथापूर्वमानुलोम्येनाक्षिभ्यामित्येतत्स्कं पठन्नेत्र दर्भगर्भेण वाससा परिमार्जयेत् । ततो रोगी श्वेतवस्त्रादिभिरलंकृतः उत्तराभिमुखः सन्पूर्वाभिमुखमाचार्यादिम्भभ्यर्च्य तां व्याधिप्रतिमां सूर्यप्रतिमां च । द्यात् । तत्र प्रतिमादानमंत्रः

"पद्मोद्भवः पद्मकरः सप्ताश्वरथवाहनः । प्रतिमानेन दानेन तुष्येत्सर्वजगद्भरः ॥

"इह जन्मनि यत्पापमन्यजन्मनि वी कृतम् । सप्रत्ययाप्रत्ययाभ्यां तत्सर्वे शमयत्यसौ ॥

२० "मंत्रेणानेन दत्वा तं प्रणिपत्य समाप्य च । आरीमांतमनुवज्य तन्मुखं नावलोकयेत् ॥" तन्मुखं प्रतिगृहीतुर्मुखम् । आचार्येणाभ्यनुज्ञातः प्रविष्टो भवनं निजे । आचार्यस्य प्रतिगृहीतृत्वपक्षे तदनुज्ञा ।

"क्रित्वग्यो दक्षिणां दत्वा क्रुत्वाराधनमश्चिनोः । धन्वंतरेश्च संतर्ध्य दीनानाथानुपस्थितान् ॥ "मंगळध्वनिना तोयैः ससर्वेषिधिपछवैः । मंत्राभिमंत्रितैः स्नानकृतकोतुकमंडनः ।

"प्रसम्नचेताः पुण्याहं वाचियिता शतं द्विजान् । तदर्धे वा तदर्धे वा कियासाहुण्यसिद्धये ॥
 "मिष्टाम्नभौजियित्वाऽथ स्वयं भुंजीत बंधुभिः । ये ये रोगाः प्रवाधन्ते राजयक्ष्मज्वराद्यः ॥

"तेषां तेषां प्रतिछंददानैरिज्याप्रयत्नतः ।" प्रतिछंदः । प्रतिक्वृतिः । इज्या पूजा । इतीतीयमितिकर्तव्यता सर्वप्रतिमादाने समुचीयते । अथ स्पष्टार्थे उच्यते । कर्ता सर्वी प्राय-श्चित्तसामग्रीं संपाय रिक्तायां तिथावन्यस्मिन्वा पुण्येऽह्नि दिनांतेऽपराह्णे वा पूर्वोक्तरुक्षणयुक्ता-

• स्विप्रान्पर्षत्वेनोपवेश्य समाहितमना भूत्वा क्किन्नवासा अभुंजानः परिषदं प्रदक्षिणीक्वत्य मास-पक्षागुष्ठिख्य 'करिष्यमाणप्रायश्चित्तांगत्वेनेदं गोवृषनिष्कयीभूतं द्रव्यं सभ्येभ्यो दातुमहमुत्सृजे' इति संकल्प शास्त्रोक्तगोवृषमूल्यं पर्षदे दत्वा साष्टांगं भूमौ नमस्कूर्यात् । ततस्तैविप्रैः

"किं ते कार्ये वदास्माभिः किं वा मृगयसे द्विज । तत्वतो मूहि तत्सर्व सत्यं हि गतिरात्मनः ॥ "यदि चेद्रक्ष्यसे सस्यं नियतं प्राप्स्यसे सुभय । यशागतोऽसि सत्येन तत्त्वं हाध्यसि कहिंचित॥" प्रकरणम् ५ ३२७ श्लोकः

इति पृष्टोऽमुक्शर्मणो मे जन्मप्रभृति अय यावज्ज्ञानाज्ञानकामाकामसकृदसकृत्कृतकायिक-वाचिकमानसिकसांसर्गिकस्पष्टास्पष्टभुक्ताभुक्तपीतापीतसकलपातकोपपातकलघुपातकसंकरीकरण-मिलनीकरणापात्रीकरणजातिश्रंशकरप्रकीर्णकपातकानां मध्ये संभावितानां पापानां निरासार्थ-मनुग्रहं कृत्वा प्रायाश्चित्तमुपदिशंतु भवंत इत्युक्तवा प्रणमेत्प्रार्थयेच । तत्र मंत्राः

"सर्वे धर्मविवेकारो गोप्तारः सकला द्विजाः। मम देहस्य संशुद्धि कुर्वेतु द्विजसत्तमाः॥ "मया कृतं महाघोरं ज्ञातमज्ञातिकल्बिषम्। प्रसादः क्रियतां मह्यं शुभानुज्ञां प्रयच्छथ ॥

भवा क्रुत महावार शातनशाताकारमप् । नताय मानुगृहां नु भवंत इति वदेत् । ततस्ते
विचार्य यथासामर्थ्य पापानुसारेण प्रायश्चित्तमुपिदिशेयुः । ततः कर्ता मासपक्षायुचार्य किर्ध्यमाणप्रायश्चित्तांगत्वेन निवंवपूजामनुवादकपूजां च करिष्ये इति संकल्प्य चंदनादिना- संपूज्य
निवंधपूजात्वेन यथाशक्ति द्व्यं संकल्पानुवादकाय पापानुसारेण दक्षिणां द्वात् । ततोऽनु- १०
वादकः कथ्येत् । कर्ता स्वस्थिचितः सन् शृणुयात् । तवामुकशर्मणः जन्मप्रमृति अद्य यावत्
संभावितानां पातकानां निरासद्वारा श्रीपरमेश्वरप्रीत्यर्थं सम्योपिदिष्टं षड्वः वा व्यव्दं वा साद्धिः व वा प्रायश्चित्तं गोनिष्क्रयद्वयदानप्रत्यामनायद्वारा उपिद्श्यते । तस्मिन्ययाशक्तिप्राच्योदीच्यांगसिहते आचीर्णे तव शुद्धिभविष्यति । तेन त्वं कृतार्थो भविष्यसि । कर्ता च भवदनुमह इति
वदेत् । अयं चोपदेशस्त्रिवारं कार्य इति । तत्र मुख्यं सुवर्णे गोनिष्क्रयः । अशक्ते तु रूप्यम् १५
बोध्यम् । ततः कर्ता देशकालो निर्दिश्यामुकशर्मणो मम जन्मप्रमृति अद्य यावत् संभावितानां
पापानां निरसनद्वारा श्रीपरमेश्वरप्रीत्यर्थं सम्येष्ठपिदेष्टं षड्वः इति प्राव्यञ्चितं प्राच्योदीच्यांगसिहतं
अमुकप्रत्याम्नायेनाचरिष्ये करिष्ये इत्युक्त्वा तदंगत्वेन वपनं करिष्ये इति संकल्प्य शिरसि
इस्तं निधाय

''यानि कानि च पापानि ब्रह्महत्यासमानि,च । केशानाश्रित्य तिष्ठंति तस्मात्केशान्वपाम्यहम्"॥ २० इति मंत्रं पठित्वा शिसाकक्षोपस्थरहितकेशादीन्वापयित्वा

"आयुर्बलं यशो वर्चः प्रजाः पशुवस्ति च । ब्रह्म प्रज्ञां च मेघां च त्वन्नो देहि वनस्पते"॥इति । मंत्रेणाभिमंत्रितेन द्वादशांगुलप्रमाणेनापामार्गादिदंतकाष्ठेन प्राङ्मुखो

णाममात्रतम द्वादरागुरुप्रमाणनायानामाय्यराकाठम त्राक्युराम "मुखदुर्गीधनाशाय दंतानां च विशुद्धये । ष्ठीवनाय च गात्राणां कुर्वेहं दंतधावनमिति ॥" मंत्रेण दंतान्यावयित्वाश्च निमज्य अस्मादिस्नानं कुर्यात् । तच्चेत्थं प्रायश्चित्तांगत्वेन अस्मस्नानं २७

मत्रण दतान्यावायत्वाश्चानमञ्य मस्मादिस्तान कुषात्। त्याय प्राचायवाणात्वा पत्रत्तान किरिच्ये इति सं० भस्मादाय ईशानः स० किरः। व्यंब० मुले। ऋत् सत्यं० हृद्ये। यो ठहो अग्नौ गुह्ये। एव ते रुद्रभागः पाद्योः। प्रणवेन सर्वागेष्वालिष्य स्नात्वा। प्रा-गोमय- नं- पुष्पैकः वृप गोमयमादाय व्याहृत्या त्रिधा विभज्यादित्याय प्रदर्श्य

"अग्रमग्रं चरंतीनामोषधीनां वने वने । तासामृषभपत्नीनां पवित्रं कायशोधनम् ॥ "तन्मे रोगांश्च शोकांश्चनुद् गोमय सर्वदा।"

संख्या बाधकत्वाच । न द्वितीयः सत्ववचनत्वेन संख्यान्वयस्य स्वतः सिद्धत्वातादृशा-ऽनुपूर्वा च तस्य वा भाष्येऽभावाचात आह । अभेदैकत्वसंख्येति । तदर्थ इति । अभेदेना-विभागेन एकत्वादिसूपविषसंख्या एकत्वपद्मुपठक्षणं संख्याविशेषाणामविभागेन सत्वमिति

^{*}इतः परं संगतिविचारणीयाः

तस्यार्थः । संख्यात्वेनेकराजसंबंधी राजद्वयसंबंधी वेत्यादिरीत्यात्र बोधः विभक्ताभावेन संख्या-विशेषाणां तत्तद्र्येणाप्रतीत्यासंख्यात्वेनैव सर्वसंख्यानां भानात् । मधुनि रसत्वेन सर्वरसभाववत् । अथवा एकत्वस्य सर्वतः प्रथमोपस्थितत्वादेकस्य द्वित्वादीन्प्रतिनिमित्तत्वेन सामान्यत्वाच द्वित्वा-चनुस्क्वतैकत्वादेकस्वभावेनाभिन्नामिवैकत्वं तद्र्वासंख्याऽभेदैकत्वसंख्यापदेनोच्यते इति परित्यक्त∙ पु विशेषं संख्यासामान्यमिति परमार्थः । अत्रैकत्वसंख्यादाजसंबंधीति बोध्य इति निष्कर्षः । से।ऽपि संख्याविशेषो न गम्यते इति समर्थसूत्रभाष्याक्षरविरुद्ध इति ध्वनयन्नाह । संख्यासामान्यभाव इति । यावेति । मेदसहचरितद्वित्वादेरेकत्वस्य चामानमित्येव तद्र्थं राजसंबंधी पुरुष इत्येव बोधः । राजत्वादिनैवैकानेकव्यक्तिमानंत्यौ तात्पर्यवज्ञात् । न तु एकत्वद्वित्वादिना । तद्वपस्था-भावात् इति । विस्तरस्तु **मंजूषायां** बोध्यः । ता**दृशलक्ष्याभावादि**ति । यद्यपि सर्वदा ९ **. इत्यभिमंञ्य गं**श्रद्वारामिति मंत्रेण शिरःप्रभृतिपादांतमालिप्य स्नात्वा प्रा० मृत्तिकास्नानं करिष्ये **इति संकल्य वलित्वेति भूमिं सं**प्रार्थ्यभारवोरिषत्स्वनितेति स्वनित्वा । स्यो ना पृथिवी० गृहीत्वा । आयने ते प॰ दूर्वामादाय गायञ्या भूमौ मृदं निधाय त्रातारमिंद्रमिति मंत्रेण पूर्वस्यां यमाय से।मिति दक्षिणस्यां तत्वायामीति पश्चिमायाम् वयं सोमत्रेत इत्युत्तरस्यां तत्सूर्यमिति ऊर्ध्वायां अधः पश्यस्वमोपरीति अधस्तेति हृदि नाभानाभिन्नेति नाभौ । त्विमद्रसजोषसमिति बाव्होः सोमानं नुष् स्वरणामिति कक्षयोः यः कुाक्षः सोमपातम इति कुक्ष्योः बव्हीनां पितेति पृष्ठे ऊरुध्यामिति ऊर्वोः मेहनाद्वलमिति जान्वोः एतावानस्येतिपादयोः यस्य विञ्वानीति हस्तयोः अंगादंगादित्यनेन पुरुष-सुक्तेन च सर्वागिष्वाभीलिपेदेशकौ अश्वकांते रथेति०।पदे पदे । मृत्तिकेह. कृतं । मृत्तिकेह. र्कृतं । मृतिके ब्रह्मदत्तासि •त्रिता.। मृत्तिके देहि मेतु. तं। मृतिके प्रतिष्ठिते • मृत्तिके।त्वया ह •गतिमित्येवमा दिभिः सर्वागिष्त्रभिलिष्य मृत्तिकास्थलं प्रक्शल्य गायत्र्या गोमूत्रेण गंधद्वारेति गोमयेन आप्यायस्त्रेति ६० क्षीरेण द्धिकाव्ण इति दम्ना । तेजोसि श्रुकमस्यमृतमस्रि धामनामासिप्रियं देवानामनापृष्टं देवयजन मित्याज्येन । देवस्य त्वा सवितुः प्र.षिंचामीति कुशोदकेन स्नात्वा तीर्थं प्रार्थयेदेतेंभेत्रैः । हिरण्यशृंगिन-त्युक्त्वा ततो यथोक्तप्रकारेण स्नात्वा गृहं गच्छेत् । स्त्रीशुद्धयोरमंत्रकं स्नानम् । तत आचम्य व्यधिका-न्युग्मान् द्विजान्पूजः पूर्वकं भोजयेदामान्नं वा दद्यात् । द्विजेषु विष्णोग्नेव पूजनम् । एतदेव निष्कश्राद्धं । तचेत्यं स्नानोत्तरं अंगीकृतप्रायश्चित्तांगत्वेन विष्णुश्राद्धं करिष्ये इति संकल्प्य शालग्रामशिलायां श्वेत-१५ चंदनादिभिः विष्णुं संपूज्य यथाशक्ति द्रव्यमादायामचतुष्टयानिष्कयीभूतं द्रव्यं यथानामगोत्रेभ्यो बाह्मणेभ्यो दातुमुत्सुच्ये तेन श्रीपापहा महाविष्णुः प्रीयूतामिति । तत एकां गां तन्निष्कयं वाय गोदानत्वेन कुटुंबिने द्विजाय दत्वा गवामंगे इति परत्र चेति मंत्रं षठेत् । ततोऽिं संस्थाप्य पापहामहाविष्णूदेशेनाष्टाविंशत्यादिसंख्ययाऽऽज्यमग्निवायुं सूर्यप्रजापितदैवत्यं जुहुयाच्छिष्टाचारानु-् रोधेन बहाकूर्चहोमोऽपि कुर्यात् । स यथाविळपितमाज्यं पळाशादि पर्णेन गृहीत्वा व्याहृति-😘 चतुष्टयेन होमेदं एवं सप्तवारं कृते अष्टाविंशातिराहुतयो भवंति । ततो बहाकूर्चहोमार्थं सुवर्णतामः पढांशपद्मान्यतमपात्रे पंचगव्यमादाय प्रणवेनालोड्य यत्तियकाष्टलंडेन प्रणवेनैव निर्मथ्य प्रणवे-नामिमंज्य सप्तपत्रैः कुरौः पलाशदलेवी जुहुयात् । तत्र मंत्रः (ऋ. सं. ५।६।२४)

"ॐ इरावती घेनुमती हि भूतं सूयवासिनी मनुषेदशस्या । व्यस्तश्रारोदसी विष्णवे ते इरावेती मनुषेदशस्या । व्यस्तश्रारोदसी विष्णवे ते इरावेती मनुषेदशस्या । व्यस्तश्रारोदसी विष्णवे हेदं न. । मान

स्तोके. रुद्रायेदं । रासो देवी. अद्भय इदं न. । अग्रये. अग्र. स्वष्ट. न. । ततो नक्षत्रदर्शने वतग्रहणं करिष्ये. इति द्विजान्प्रद्धा कुरुष्वेत्यनुज्ञातः प्रणवेन होमशेषमश्रीयात् । प्रायश्चित्ता. इति राक्त उपवसेद्शको हविष्यास्त्रमश्रीयात् । ततः प्रायश्चित्तं चरित्वा प्राग्वद्वचाहृतिहोमं विष्णु-श्राद्धगोदानानि द्यात् ।

''गोभूतिलहिरण्याज्यवासो धान्यं गुढानि च । रूप्यं लवणमित्याहुर्देश दानानि पंडिताः ॥" इति ५ एषां परिमाणमुक्तं शातातपीये कर्मविपाक

"निवर्तनिमता भूमिद्रोंणत्रयमिताास्तिलाः । कर्षमात्रं हिरण्यं स्यादाज्यं सप्रस्थमाढकम् ॥ "वाससां त्रितयं द्याद्गुढं च पलपष्टिकम् । निष्कत्रयमितं रूप्यं लवणं सार्द्धसारिका ॥ "सार्द्धसारीमितं धान्यं परिमाणं प्रकीर्तितमिति" । सारी दशद्रोणाः ।

अथ दानमंत्राः । गवामंगे. त्र चेति गोः ।

"सर्वभूताश्रया भूमिर्वराहेण समुद्धृता । अनंतसस्यफलदा अतः शांतिं प्रयच्छ मे ॥" इति । भूमेः । "महर्षेर्गोत्रसंभूताः कश्यपस्य तिलाः समृताः । तस्पादेषां प्रदानेन मम पापं व्यपोहत्विति ॥" तिलानां । "हिरण्यगर्भेति । प्रयच्छ मे ०" इति हिरण्यस्य. ।

"कामधेनोः समुद्भतं सर्वक्रतुषु संस्थितम् । देवानामाज्यमाहारमतः शां०॥" आज्यस्य "शरणं सर्वलोकानां लज्जाया लक्षणं परम् । सुवेषधारि वस्र त्वत्वमतः शां०॥" वस्रस्य । "सर्वदेवमयं धान्यं सर्वोत्पत्तिकरं महत् । प्राणिनां जीवनोपायमतः शां०॥" धान्यस्य । "यथा देवेषु विश्वातमा प्रवरश्च जनार्दनः । सामवेदस्तु वेदानां महादेवस्तु योगिनाम् ॥ "प्रणवः सर्वमंत्राणां नारीणां पार्वती यथा । तथा रस्नानां प्रवरः सदैवेक्षुरसो मतः॥ "मम तस्मात्परां लक्ष्मीं ददस्व गुड सर्वदेति" । गुडस्य

"प्रीतिर्यतः पितृणां च विष्णुशंकरयोः सदा । शिवनेत्रोद्धवं रूप्यमतः शां०॥ रूप्यस्य । १ "रसानामग्रजं श्रेष्ठं ठवणं बठवर्धनम् । ब्रह्मणा निर्मितं साक्षादतः शां०॥ ठवणस्य । एवं समंत्रं सपरिमाणं दश दाना्नि दत्वा परिमाणासामर्थ्ये दक्षिणां च स्वशक्तित इति शातातप-वचनात्स्वशक्त्या निष्कयेण वा दत्वा बाह्मणान्भोजयेत् । 'प्रायश्चित्ते ततश्चीर्णे कुर्योद्धाह्मण-भोजनिमिति" वचनात् । इह संख्याविशेषानुपादानाच्छक्त्यनुसारेण बाह्मणभोजनं वेदितन्यम् ।

"तस्माच्छक्तिं समासाय सदा धर्मपथे स्थितं । प्रायश्चित्तं प्रदातव्यं जपहोमविवर्जितमिति ॥" २५

्षवं स्त्रीणामिष होमपंचांगप्राञ्चने न स्तः । "स्त्रीणां होमो न दातव्यं पंचगव्यं तथैव चेति"

मि पू ३४४ वचनादिति संक्षेपः । उत्तराधीर्थमाह । यस्तिवति । धर्मपदमुपलक्षणमित्याह । धर्मार्थेति । संवत्सरेति । चांद्रायणवृत्ती वृत्तीत्यर्थः । एकं चांद्रायणम् । एवमभेऽषि । तत्कृत्वा सर्व पापं नाञ्चयतीत्यतिपापोऽपि गतपापो मवतीत्यर्थः । संविदिति । अत्यंतसंयोगे दितीया ॥ ३२७ ॥

याज्ञवल्कीये ३२८ श्लोकः।

फलांतरमाह । किंचेति । सुसत्प्राप्यन्याख्या । सकेति । एतत्स्चितमाह । सुसेति ।

प्रा**यां**श्चेत्त-याज्ञवल्कीये

अत्र इश्चित्कर्मणि । तत्रैवाह । क्वछ्रेति । आरंभः फठं । जैमिनीयोऽयं । अनुक्तौ बीजमाह । चेद्मिति ॥ ३२८ ॥

याज्ञवल्कीये ३२९ श्लोकः।

अत्र हि । याज्ञवल्कीये हि । व्यावृत्ता इति । तेषां मिथो मिन्ना इत्यर्थः ॥ ३२९ ॥

याज्ञवल्कीये ३३०।३३१।३३२।३३३ श्लोकाः

मि. पृ. ३४५. अस्मात् उत्कृत्य ॥ ३३० ॥ ३३१ ॥ ३३२ ॥ ३३३ ॥

याज्ञवल्कीये ३३४ श्लोकः।

अर्थ सार्थ । फलसमूहं । अत्र भवान्पूज्यः ॥ ३३४ ॥ याज्ञवल्कीये ३३५ श्लोकः ।

ग्रंथान्तरे मंगलं करोति । स्वयंभुवे इति । इत्थं यथार्थमिति । शिवम् ॥ ३३५ ॥

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^{*}ख- संख्या ६८०० लि० मेवामिश्रेण सं० १९५० वे० १५ ॥ शोधितमिदं पुस्तकं तारादचपंतेनेति सन्तः प्रसीदन्तु स० १९७१ मा० व० १ ।

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THE

Collections of Hindu Law Texts.

(No. 6.)

BÂLAMBHATTI

(Sasnkrit Text.)

BEING A COMMENTARY BY

Bâlambhatta Payagunde,

ON

(The Mitakshara of S'ri Vijnanes'wara on the Yajnavalkya-Smriti).

BOOK II

Vyawahârâdhyâya.

EDITED BY

J. R. GHARPURE, B. A. LL. B.,

Vakil, High Court, BOMBAY.

First Edition.

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PREFACE.

The Vyawahāra-Adhyāya of Balambhatti (text) is the sixth Volume published in this series. It is a free and exhaustive commentary on the *Mitákshara* of *Vijnánes'vara*, which in itself is a commentary on the *Yájnyavalkya-Smriti*, published in this series as Volume No. 1.

The author of this work was Bâlambhatta or Vaidyanâtha Bhatta Pâyagunde who flourished at Benares at the close of the 18th and the beginning of the 19th century. He was a scholar of great fame in his own days, and is reputed to have written several works in Sanskrit. There is reason to believe that he was personally known to Mr. Colebrooke the well-known oriental scholar of the last century.

The present volume is a free commentary on the Mitakshara, quotations from which have been put in the black type. The texts of Yajnavalkya and the Mitakshara have not been reprinted in this volume as the same has appeared once in Volume I of this series, and the references to these works in this volume are made according to the paging of that volume.

The present edition is based on the following material.

- (1) A manuscript copy of the work in the Deccan college, Poona. denoted here in as 75.
- (2) A manuscript from Jaipur and kindly secured by Mr. H. N. Apte of the Anandáshrama and denoted herein as फ.
- (3) A manuscript in the High Court at Bombay and kindly lent by the Hon'ble Justice Sir N. G. Chandavarkar, denoted as .
- (4 Bibliotheca Indica series being a portion of the edition by Babu Govind Dass of Benares. (only upto the first 32 verses).

(5) The Printed Edition by Babu Govind Dass (received when the last portion was under preparation).

The undersigned is obliged to all these gentlemen for their kindness in allowing him the use of the works in their possession.

A detailed account of the author and his works and of the Yajnavalkya School generally will be found in the preface to Vols. I and II of this series and in the "Introduction to the study of Hindu Law Texts" by the undersigned.

BOMBAY,

14th January 1914.

J. R. Gharpure,

Editor.

धर्मशास्त्रग्रन्थमाला (ग्रन्थाङ्कः ६)

॥ श्रीः ॥

श्रीमद्योगीश्वर्याज्ञवल्क्यस्पृतेः

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(व्यवहाराध्याय: २)



साच

जगनाथ रघुनाथ घारपुरे नी. ए. एट्. एट्. बी. हायकोर्ट वकील, मुंबई.

इत्यनेन संशोधिता प्रकाशिता च

प्रथमावृत्तिः

(अस्य सर्वेऽधिकाराः राजशासनेन स्वायत्तीकृताः)

शकाब्दाः १८३५ खिस्ताब्दाः १९१४.

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# अथ वालंभट्टी टीका.

## (मिताक्षराव्याख्या)

### ॥ श्रीगणेशाय नमः॥

पूर्वत्रान्ते दुष्टदण्डस शिष्टरक्षणस च विधानादन्वयव्यतिरेकाभ्यां पालनाधिकारिणा-ऽहरहर्व्यवहारदर्शनं कर्तव्यमित्युक्तम् । तस व्यवहारस स्वरूपप्रकारेतिकर्तव्यताऽकाङ्कायामय- प्रमध्याय इत्याह । अभिषेकादीति । यद्वा 'व्यवहारान् स्वयमि'त्यादिना साङ्कोपाङ्को व्यवहारः कर्तव्यतया विहितः पूर्वत्रान्ते । तत्राङ्काद्याकाङ्कायामाह । अभीति । हेतुहेतुमद्भावरूपसम्बन्धो-ऽनयोरध्याययोः सङ्गतिर्वोध्या । उक्तौ हेतुमाह । व्यवित । चस्त्वर्थे वाक्यालङ्कारे वा । की-हश इति स्वरूपप्रश्नः । कतिविध इति प्रकारप्रश्नः । कथं चेतीतिकर्तव्यताप्रश्नः । इतिकर्त-व्यतेति । इत्याकाङ्कायामवश्यं वक्तुमुचित इत्यादिः । स्वरूपप्रकारेतिकर्तव्यताकलाप इत्यर्थः । अङ्गादिकलाप इत्यर्थे वा ।

### याज्ञवल्कीये १ श्लोकः

आद्यक्षीकेन त्रयाणामण्युत्तराणि ध्वनयन् स्वरूपप्रश्नस्थाद्यस्य प्रकृत्योत्तरमिनि प्रितिपादयन् तत्स्वरूपमाह । अन्येति । अनेन भावे घश् तत्र स्चितः । धात्नामनेकार्थत्वात्तद्र्यकाभः । अयं च रूढ्यर्थः । योगार्थस्तु नानासंदेहहरणम्, "वि नानार्थेऽव संदेहे १५ हरणं हार उच्यते । नानासंदेहहरणाद्यवहार इति स्मृतः" इति कातीयात् । स्पष्टत्वाय तमुदाहरति । यथेति । द्वितीयोत्तरमाह । तस्येति । प्रातिपदिकोदितव्यवहारस्य प्रत्ययेन द्वितीया—बहुवचनेन भेदो दर्श्यत इत्यर्थः । पूर्वमनुवाक्येन प्रतिपादितमर्थे राजेत्येव वाच्ये स्वयमित्येव सिद्याऽधिकन्त्रपपदोक्तिस्वारस्थेन प्रतिपाद्यति ।
नृप इति । यौगिकोऽयं न रूढ इति भावः । अत एव युक्तस्थेति सामान्यत एवादावुक्तम् । २०
इतिना करणत्वं तत्र तस्योच्यते । क्षत्रियेति । अभिषिक्तस्य तस्यैवेत्यर्थः । अपिनाऽस्यैव
समुच्चयः । 'व्यवहारान् स्वय'मित्यस्य विधित्वेन 'पश्येदिति' पुनिविधिवयर्थ्य परिहरति । पश्येदितीति । धर्मेति । विद्वद्वाह्यणसाहित्यादिरूपधर्मविशेषत्यर्थः । तथा च व्यवहारानृपः
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एतेनास्य वैयर्थ्य परिहतं । अन्यथा तेनैव सिद्धेरस्य वैयर्थ्य स्पष्टमेव । तमेव धर्मविशेषमाह । २५

१ ख-वस्त्वर्थे । २ प्रतत्वपुस्तके न लभ्यते । ३ ख-स्वारास्येन ।

विद्विद्विरित्यादिना । स एव धर्म इतिकर्तव्यता । सं चाङ्गानुष्ठानप्रकारः । एवं चास्य श्लोकस्येव प्रपन्धः सकलोऽध्यायशेष इति भावः । ब्राह्मणैरित्यस्य फलमाह । नेति । धर्मविशेष-विधार्थत्वेनास्य प्राप्तं व्यवहारदर्शने नृपस्य ब्राह्मणानां च समप्राधान्यं निराचष्टे । ब्राह्मणैः सहे-तिति । तेषां ब्राह्मणानाम् । ननु तावता कथं तत्वमत आह । सहयुक्ते इति । 'सहार्थेन प्रोगेऽप्रधाने नृतीये 'ति तदर्थः । यथा 'पुत्रेण सहागतः पिते'त्यादे शाब्दिक्रयाद्यन्वियव-रूपमप्राधान्यं पुत्रादेक्तथा प्रकृतेऽपीति तदर्थत्वेऽपि न तथिति भावः । एतत्फलमाह । अत-श्लोति । आद्ये तथा सत्वेऽपि द्वितीये राज्ञो दोषो य उक्तः स ब्राह्मणानां नेत्यर्थः । उक्तहेतोः । न तु सर्वथा दोषाभावोऽभिमतः । 'सभा वा न प्रवेष्टव्ये'त्यनेन विरोधा-पत्तिति बोध्यम् । तेषां तत्र कथनेनैव तिष्ठाभे शास्त्रान्तरस्यासम्भवेनैव निरासे तदुक्तिफलमाह । कनार्थिति बोध्यम् । तेषां तत्र कथनेनैव तिष्ठाभे शास्त्रान्तरस्यासम्भवेनैव निरासे तदुक्तिफलमाह । कनार्थिति । अत एव मिथः समवायेऽस्य प्राबल्यं न तस्यिति वक्ष्यति । न्यूनतां परिहरिते । देशादिसम्बन्धिधर्मसेल्यर्थः । विरुद्धस्य त्याज्यत्वस्रोक्तत्वादाह । धर्मेति । वक्ष्यतीति । संविद्यतिक्रमणे योगीश्वर (श्लो० १८६) इति भावः । क्रोधिति ग्रतीकं । सिद्धे इति । तयोस्तत्र निषद्धत्वात्सामान्येन सर्वत्रेति भावः । आदरेति । अत्र विशेषेण तत्त्यागार्थमित्यर्थः ।

१५ मनुरपि

२०

"व्यवहारान् दिदृश्चुस्तु ब्रोह्मणः सह पार्थिवः ।
मन्नज्ञैर्मित्रिभिः सार्धे विनीतः प्रविशेत्सभाम् ॥
तत्रासीनः स्थितो वाऽपि पार्श्वमुद्यम्य दक्षिणम् ।
विनीतवेषाभरणः पश्येत्कार्याणि कार्यिणाम् ॥
प्रत्यहं देशदृष्टेश्च शास्त्रदृष्टेश्च हेतुभिः ।
अष्टाद्शसु मार्गेषु निबद्धानि पृथक् पृथक् ॥ (अ०८ श्लो० १-३)
धर्मीश्रयमधिष्ठाय संवीतांगः समाहितः ।
प्रणम्य लोकपालेभ्यः कार्यदर्शनमालभेत् ॥ (अ०८ श्लो० २३)

इति व्यवहारान् अर्थिप्रत्यर्थिनोर्विवादिविषयोक्तीः । दिदृक्षुः निर्णिनीषुः । पार्थिवः पृथि२५ वीपितः, क्षत्रियादन्योऽपि । मन्नज्ञैः देशकालाद्युचितकार्याकार्यनिरूपणाभिज्ञैः । एतच त्राक्षणेरित्यस्य विशेषणम् । अमन्नज्ञा हि त्राक्षणा देशकालाद्यननुरूपं धर्ममिप सहसा त्रुवन्तो राज्ञः
कश्चिदनर्थमापादयेयुः । मन्निभिः बुद्धिसचिवैः । विनीतः सहजार्ह्हार्योभयविनियुक्तः । पाणिमुद्यम्य उत्तरीयादुद्धृत्य वस्त्रोपसंव्यानं कृत्वेति यावत् । पश्येत् निश्चिनुयात् । कार्याणि ऋणादानादीनि । देशदृष्टा हेतवः देशविशेषव्यवस्थितानि निर्णयसाधनानि । यथोदीच्यमध्यमानां,
२० कन्यां याचमानाय भोजनं यदि दीयते तदा तुभ्यं देयेत्यनुक्तेऽपि प्रतिश्चता भवतीति । शास्रदृष्टाः साक्षिप्रभृतयः ॥ १ ॥

१ क ग सा । २ ख — प्राप्तच्यवहारदर्शने । ३ ग — क्रोधेति प्रति क्रोधेति । प्रतीतयोस्तत्र । ४ धर्मासन । ५ ख — निर्निनीषु । ६ ख — सहजा भायों । ७ ख — न ।

### याज्ञवल्कीये २ श्लोकः

प्रागुक्तब्राह्मणेभ्यः सभ्याः पृथक् कार्या इत्याह । **किंचेति ।** श्रुतेत्यस वेदशास्त्रसंपन्ना इति श्रीब्दोऽर्थस्तत्फिलितमाह । श्रुतेनेति । अत्र द्वाविष भावप्रत्ययान्तौ कियापरौ । अन्यथा धर्मज्ञानसानुपयोगात् । धर्मशब्दो लक्षणया शास्त्रपर इत्याह । धर्मशास्त्रीति । 'ताच्छील्ये णिनि ' रित्याह । **राीला** इति । एतानुद्दिश्य सभासत्त्वं विधीयते इत्याह । **एवंभूताः** । ५ सभेति विधेयार्थमाह । सभायामिति । तद्र्थमाह । संसदीति । सीदन्तीत्युक्तस व्याख्या । यथोपेति । धातूनामनेकार्थत्वादितिभावः । बठात्कारनिरासाया**ह । दानेति ।** एते सभास-दोऽपि ब्राह्मणा एवेत्याह । यद्यपीति । तस्य त्रितयसाधारणत्वादिति भावः । सत्विति । '' विनीतवेषो नृपतिः सभां गत्वा समाहितः । आसीनः प्राङ्मुखो भूत्वा पश्येत्कार्याणि कार्यिणाम् " । इति इतः पूर्वश्लोकः । स राजा स्थिरैर्भयतोऽचञ्चलैः । प्राङ्गेर्बुद्धिमद्गिः । मोलैः १० पितृपितामहादिपरंपरायातैः । द्विजोत्तमैर्जाह्मणैः । सप्तमीतत्पुरुषः । धर्मशास्त्रं मानवादि । तस्य योऽर्थः सिद्धान्तस्तत्र निष्णातैः । अर्थशास्त्रमौशनसादि तत्र तथा । ननु बहुत्वस्य त्रित्वादिप-रार्द्धपर्यन्तसंख्याव्यापकत्वेन तत्र ते कति कार्या इत्यत आह । ते चेति । सभासद इत्यर्थः। कैंपिज्जलाधिकरणन्यायेनेति भावः । त्रय इत्यस त्रय एवेत्यर्थः । एवेर्ने पूर्वापरकोट्योर्नि-रासः । तत्राचे हेतुमाह । बहुवचनेति । द्वितीये हेतुमाह । यस्मिन्निति । इतोऽपि तत्र १५ त्राह्मणा एवेत्यपि बोध्यम् । एवमग्रेऽपि बोध्यम् । मतान्तरमाह । बृहस्पतिस्त्वित । उत्तमा-दिभेदेनाह । सप्तेति । वेदशब्दः शास्त्रसाप्युपलक्षणम् । लोकशब्दो देशकालादिपरः । यद्वा स तेदन्यसर्वपरः । धर्मशब्दः शास्त्रपरः । प्राधान्यात्तस्य पुनरुक्तिः । यत्र सभायां । यज्ञेति यज्ञसभासदृशीत्यर्थः । यदि तु एतदनुरोधेन **मानचे** त्रयइत्युपलक्षणं मध्यर्मपक्षपरं वा तदा एकवाक्यतेव न पक्षान्तरम्। अत्र पक्षे तेच त्रय इत्यपि तथेति न भेद इति बोध्यम्। २० परन्तु तेच त्रय इति वृहस्पतिस्त्विति च वदतो विज्ञानेश्वरस्य न सम्मतिमद्मिति बोध्यम्।

ननु व्यवहारात्रृप इत्यत्रोपात्तविद्वद्वाह्मणोद्देशेन श्रुताध्ययनसम्पन्नत्वादिरूपो धर्मोऽनेन विधीयताम् । तथा च विद्वद्वाह्मणविशेषँत्वाच्हुताध्ययनसंपन्नादेने प्रागुक्तेभ्य एते समासदो भिन्ना इति किं चेत्यवतरणासङ्गतिरित्याशयेनाऽशङ्कते । न चेति । समानविभक्तिकनामार्थ-योरभेदान्वय इति व्युत्पत्तेराह । तृतीयेति +वचनक्रमेणेत्थमुक्तम् । अभेद्स्य संसर्गत्वाभा-२५

१ ख—शब्दोऽर्थ । २ ख—पुनित । ३ ख—बहुनामनेकार्थत्वादत्र । ४ ख—एतेन । ५ ख—
एतदन्य । ६ ख—ग—मधम । ७ ख—विशेषणत्वात् ।

 [&]quot; 'किपिञ्जलानालभेत' इति श्रुतो किपिञ्जलाः कित बाह्या इति शङ्कायाम् पूर्वोपस्थितत्वात् त्रित्वसङ्कथा विशिष्टा इति तद्धिकरणे स्थितम् । तद्द्दत्रापि त्रयः सभासदः कार्या इति भावः ।

कपिश्वलाधिकरणन्यायस्त्वत्र न युक्तः । तत्र तु **त्र्यधिक**च्यावृत्तिरेवेष्यते । अत्र तावित्रिन्यूनव्यावृत्ति-दीर्श्वता ।

[🕂] विभक्तिक्रमे प्रथमायाः पूर्वत्वेऽपि व्यवहारान् नृपः पश्येदिति वचनस्य श्रुताध्ययनसंपन्ना इति वच

वादाह । विशेषणेति । नर्न्वध्याहारेण तत्सम्भवोऽत आह । विद्वद्विरिति । नतु विद्वद्विरित्यसँव विवरणपरिमिद्मिति न पुनरुक्तिप्रसङ्गोऽत आह । चेति । तेन यच्छब्दोक्तिवैयर्थ्या- पित्तसमुच्यः । स हि विधेयत्वप्रतिबंधकस्तथा च तद्वलाद्वेव मिथ उद्देश्यविधेयभावः स्वरसतः प्रतीयते । तत्र च प्राप्ताप्राप्तविकस्यायेन लोकादिसिद्धश्रुताध्ययनसम्पन्नादिकमुद्दिश्य समासत्त्वं विधीयते इति भावः । य्रच्छब्दस्य पूर्वपरामर्शकत्वेऽपि कात्यायनविरोधरूपदो- धान्तरमि सूचयन्नाह । तथाचिति । तथा च तदुदेशेन तद्विधिन घटते इति ते एव समासद इति वक्तं न श्वस्यते इति भावः । स इति प्रागुक्ताग्रिमोऽयम् । प्राड्विवाकेन सहितः प्राड्विवाको राजप्रतिनिधिः। प्राड्विवाकाक्षदर्शकाविन्यमरः (२-८-५) । अमात्याः । बुद्धिसचिवास्तत्सहितः । त्राह्मणाश्च पुरोहितश्च तैः सहितः । सभ्येः सहितः । अनेन सर्वेषामङ्गत्वमुक्तम् । १० धर्मतस्तव्वाक्रस्तः । प्रेक्षक इत्यर्थः । तत्र सभ्यत्राह्मणयोर्मध्ये । अनीति राज्ञिति शेषः । एवनमग्रेऽपि । तथा मूलानुक्तः । सभेति तथा मूलोक्तः । तथा मेदोक्तः फलभेदमाह । तन्नेति प्रागवद । तं राजानम् । तद्भागिन इति राजसम्बन्धिदोषमागिन इत्यर्थः । एवं च प्रागुक्तदोषशब्दो विशेषपरो बोध्यः । पुनस्त्वर्थे । न्यूनतामज्ञाननिरासाय मर्वथाऽनावव्यकमृलस्य शब्देन परिहरित । रिपाविति 'वित्तान्तपञ्चानां द्वन्द्वान्मतुष् '। तत्र कुलवर्त्वं कुलीन- १० तम् । कुलभूतैरित्यस्य परम्परायातैरित्वर्थः ॥ २ ॥

### याज्ञवल्कीये ३ श्लोकः

ननु राज्ञः प्रतिदिनं व्यवहारदर्शनवत् कार्यान्तराण्यपि कर्तव्यत्वेन विहितानि तत्र देवात्समवाये किं कार्यमित्याशङ्कायामाह । व्यवहाँरेति । अत एव र्तुः । तेन तद्त्यागमुचनद्वारा तसाप्यावश्यकत्वं स्वितम् । कार्यवशादित्यस्य व्याख्या कार्यान्तरेति । शान्तिकाद्या२० वश्यकोक्तभिन्नकार्यत्यर्थः । सह सहितः । अनेन प्रागुक्तभ्यः र्मर्वेभ्यो भिन्नोऽयमिति
स्वितम् । सर्वपदस्वारस्यादाह । सामिति । देशादिसमयधर्मानित्यर्थः । विन्ते विचारयतीति
सर्वपाठः । वेत्तीति पाठे वेत्तीत्यस्य तत्पूर्वकं जानातीत्यर्थः । प्रकरणात्तिष्ठाभे तदुक्तिफठमाह । न स्रत्रीति । यतोऽयं सर्वतो भिन्नोऽत एव विशेषमाह । तं चेति ब्राह्मणं चेत्यर्थः ।
यथाहेति । कात्यायन इति अर्थः । मध्येति । पक्षपातरहितमित्यर्थः । परत्र परठोकविषये ।
२५ उद्यक्तम् अनठसम् । मुख्यपक्षोक्तिपरतया मूळस्य न न्यूनतेति सूचयन् स्मृत्यन्तरानुरोधेनानुकल्पमाह । एवं भूतेति । ब्राह्मण इति । उक्तगुणविशिष्ट इत्यर्थः । अन्यथा स्रोक्तिवैयर्थ्यमेव स्रादिति बोध्यम् । यत्नेनिति । तस्य धर्मशास्त्रादावनधिकारादिति भावः ।

नापेक्षया पूर्वत्वात् तत्रं च तृतीयाया निर्देशात् वचनपर्यालोचनायां तृतीयायाः प्रथमोपस्थितत्वात् पूर्व-मुक्तिः । तथा च तृतीयाप्रथमान्तनिर्दिष्टानामिति मूलवाक्ये न काचिदनुपपत्तिरिति भावः ॥

[.] १ ख—अन्वध्याहारेण । २ ख—परमिति । ३ ख—न यच्छन्दोक्ति । ४ क—पाठः । ५ ख—तत्र च । ६ ख—शक्य । ७ क ग—मूलस्य । ८ ख—कुल्बत्वं । ९ ख—व्यवेति । १० ख—तु । ११ ख—र्पवभ्यो । १२ ख ग—भावः । १३ ख—स्मृत्यनुन्तरानुकल्पमाह ।

मतान्तरमाह। नारदेनेति। अयमेवेति। योगीश्वरोक्त ब्राह्मणरूपानुकर्लं त्वेनोक्त इत्यर्थः। राज्ञो बहुकार्यव्याकुरुत्वेनावकाशामावादिति भावः। पुरस्कृत्येति। अत्र प्रस्तुतत्वाद्राजिनयुक्तो-कपुष्प एव तत्र कर्त्ता बोध्यः। अत एव, " *सत्प्रतिष्ठः स्मृतो धर्मो धर्ममूलो नराधिपः। सह सद्भिरतो राजा व्यवहारान्विशोधयेत्"॥ इत्यये (नारदस्मृ० अ० ३ श्लो० ६ ) तेने-वोक्तम्। व्यवहारानिवति युक्तः पाटः। एतदेव स्पष्टयति। प्राङ्विवाकेति। मते बुद्धौ धर्मशास्त्रानुसारेणेति भावः। स्थितः राजा। तस्य सत्वेनैव तल्लामे पुनस्तदुक्तिफलमाह। न स्वेति। नन्वेवं प्राङ्विवाकेन कृतस्य श्रवणेऽपि तस्य तद्दर्शनाभावेन कथं स पश्येदित्यत आह। राजेति। तथा च स्वप्रतिरूपकप्रागुक्तपुरुषद्वारेण तद्दर्शनसौचित्येनायमेव पक्षो ज्यायानिति बोध्यम्।

धर्मशास्त्रानुसारेण कृतस्य तस्य यौगिकीयं संज्ञा नाश्वकणीदिवद्रूढिरित्याह । तस्येति १० प्राङ्किवाकसेत्यर्थः । संक्षेति अन्वर्थं नामेत्यर्थः । प्राङ्कित । किब्वेचीत्यादिना निष्प- क्षोऽयं किबन्तः । तयोर्रार्थप्रत्यर्थिनोः । विविच्नक्ति । विवेचयित विचारयित । अत्र पक्षे औणादिकत्वं कल्प्यमैत आह । विवक्तिति । विविच्य विचार्य कथयतीत्यर्थः । एतेन विशेषेण कथयतीति व्याख्यानमपास्तम् । हलश्चेतिघञ् । स चार्षत्वात्कर्त्तरि । यद्वा भाव- घञन्तादर्शश्चाच्च । मूलं तु फिलतार्थपरतया नेयं । यद्वा करणे बाहुलकाल्धुंडभावे घञ् । भ्य अत एव येनेत्यप्रे उक्तम् । मूलं तु प्राग्वदेव । कातीयमेवाह । उक्तञ्चेति । एर्तत् । उक्तं वचनम् ॥ ३ ॥

### याज्ञवल्कीये ४ श्लोकः

अन्यदिष राज्ञा कर्तव्यमित्याह । अपिचेति । अपिना द्वेषसमुच्यः । तथा च अज्ञानभ्रा-न्त्यादिरूपोपाधिमिधमेशास्त्रविरुद्धमाचरतां तेषां न दण्डोऽयमिति भावः । सभ्या इति । २० नियुक्ता इत्यर्थः । तेषामेव तत्त्वस्य प्रागुक्तत्वात् । अत एवानियुक्तानां तदपेक्षया न्यूनद्व-ण्डपरिकल्पना । युक्तं चैतत् । नियुक्तानामियुक्तत्वेन धर्मशास्त्रविरुद्धाचरणादिधकापराध-स्तिद्भानां तु तदभावादल्पापराधः । आधेषुँ राजाज्ञीमैङ्गं स्मृत्युह्णंघनं च । अन्येषु स्मृत्युह्णंघन-मेवेति यावत् । तदेतदिमिप्रेत्याह । पूर्वोक्ताः सभ्या इति । रागादौ हेतुं १० पूरयित्ते । रजस इति । यित्विद्वागादेः साधारणत्वादाह । स्नेहातीत्यादिः । वाश्च्यस्य प्रत्येकं विकल्प-२५ बोधकत्वादाह । लोभाद्वेति । सन्नासाद्वेतिच । विवीद्यदस्य यथाश्रुतार्थत्वे तद्वेगुण्यस्य द-मेऽसम्भवात् लक्ष्यार्थमेति । विवादेति । ननु अन्यथाऽपि लक्ष्यार्थस्य सम्भवादेवमेव व्या-

१ ख-कल्प एव । २ ख-किचिदवची । ३ ख-कल्प्य । ४ विवक्ति, वेति । ५ ख-कथयती । ६ ख-याध्या । ७ ख-ह्युटमावे । ८ ख तत्तदुक्तवचनम् । ९ ग-कार्य । १० ख-आधे । ११ ख-मंगस्मृत्युङ्घनमेवेति यावत् । १२ ख-हन्तुः । (१) १३ ख ग साद्वेति । १४ ख-विवद । १५ ख-लक्षणार्थ ।

^{*} नारदस्मृतौ " तत्प्रतिष्ठ " इति पाटः ।

ख्याने किं बीजमत आह । न पुनरिति । तथा हि सतीति पाटः । हिहेंतौ । स्त्रीसक्रहणादिति पाटः । स्मृत्यपेतेत्यत एवार्थाछामे रागाधुक्तिफलमाह । रागोति । इद्मुपलक्षणं द्वेषसापि । इंग्रे नियच्छति । कर्मणः शेषत्वविवक्षायां पष्टी । वर्जमिति णमुलन्तम् ।
तथा चौनियुक्तानां तेषामलपदण्डोऽपि कथमिति भावः । तस्य गौतमवाक्यस्य विधित्वाभावात् तस्य वधातिरिक्तदण्डप्रतिपादकवाक्यानामानर्थक्यापत्तेश्चेति भावः । तथा सितः
तिह्रिरोधान्तरं परिहरति । यत्त्विति यदपीत्पर्थः । दोषैः प्राप्तः पद्धिः प्रकारेस्त्याज्य इत्यर्थः ।
ब्राह्मण इति प्रकरणप्राप्तम् । तत्प्रकार्रत्यागमेवाह । अवध्य इत्यादि । चो वाक्यालक्रारे । अदण्ड्य इत्यनेन धनदण्डाभावः । अपरिवाद्य इत्यनेन धिगवायदण्डयोरभावः । अपरिहार्य इत्यनेन धनदण्डाभावः । अन्यत्स्पष्टम् । षद्भिरित्यस्य पूर्वतन
भगत्तममाह । स एष इति । बहुभ्यो बहुशश्च श्रुतं येन सः । तत्साधनमाह । छोकेति ।
छोकः सदाचारः त्रयः सप्त वा छोका वा । चेदः त्रयी । शिक्षादीनि पद्वेदाङ्गानि ।
वाकोवाक्यम् । उक्तिप्रत्युक्तिमद्वाक्यम् । इतिहासो भारतादिः । पुराणं पंचलक्षणं वायवीयादि । तत्र कुशालो निपुणस्तदर्थाभिजः । तद्येक्षः तन्मननशीलः । तद्वितः । तदुक्तानुष्ठाता ।

अष्टाचत्वेति । ते च गौतमेनोक्ताः । गर्भाधानपुंसवनसीमन्तोन्नयनजातकर्मनामकरणान्नप्रार्शनचूडोपनयनम् । अत्र समाहारद्वेद्धः । चत्वारि वेदव्रतानि प्रतिशाखं
गृष्टेष्कृक्तानि । स्नानं समावर्तनाख्यं । विवाहाख्यः सहधर्मचारिणीसंयोगः । पञ्चानां यज्ञानामनुष्ठानम् देविपतृमनुष्यभूतब्रह्मणामिति । एते पञ्च पृथक् संस्कारा न तु समुदायः ।
एतेषां च वक्ष्यमाणानामनुष्ठानम्।तानेवाह । अष्टकेत्यादि । आपस्तंवानामेकाष्टकायां क्रियमाणं ।

र॰ छंदोगाश्वलायनयोस्तिसृषु चर्तुषु च क्रियमाणानि च अष्टका यासु श्राद्धं पर्वणि भवः पार्वणः
स्थालीपाकः । श्राद्धम् अमावास्तादि । श्रावणी तत्र कर्त्तव्यं श्रवणाकर्मप्रयोगः सर्पविलिश्च ।
आग्रहायणी तत्र कर्त्तव्यं हैमंतप्रत्यवरोहणम् । चैत्री तत्र कर्तव्यः ऐन्द्राग्न इत्याद्यक्तस्तुनिद्दः शूलगवश्च । आश्वयुजी तत्र कर्तव्यमाश्वयुजीकर्म पृषातकचरुरूपं पशुपतये स्थालीपाकरूपम्, अनाहिताग्रेराग्रयणं चेति द्वयमाश्वयुजीशव्दग्राह्यमिति हरद्ताः । इति सप्त
स्थ पाकयञ्चसंस्थाः । पाकयज्ञा अल्पयज्ञाः प्रशस्तयज्ञा वैते । ''तं पाकेन मनसा, यो मा
पाकेन मनसे'' त्यादौ पाकशब्दप्रयोगस्य प्रशंसायां दर्शनादिति वृत्तिस्त्रशारायणहरदत्ताद्यः । आख्या चेयं गार्खाणां विधा । पाकयज्ञविधाः सप्तेत्यर्थं इति हरद्ताः । पाकेन
समाप्तिं गच्छिति पाकसंप्रधाना वाऽतः पाकयज्ञसंस्था—एवमग्रेऽपि इत्यनः । तत्वापस्तंव-

१ ख-मूल । २ क-विवक्षया । ३ क-वर्ज, ख, वज्र । ४ ख-च नियुक्तानां । ५ ग-ज्यीशिक्षादीनि षड्वेदांगानिषि (१) राज्ञा न शिक्षणीयः किं तु सर्वथा त्याच्य इत्यर्थः । ६ ग-तानेवाह । ७ ख-वान्यं - उक्तिमहावाक्यम् । ८ ख-चौडो । ९ ख-वाह्मणानाम् । १० ख-मित्यर्थः । ११ ग-श्च । १२ ख-ग्राह्माणां ।

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गृह्यप्रश्नव्याख्यायां प्रतिपादितं । अभ्याधेयमभिहोत्रं दर्शपूर्णमासावाप्रयणं चातुर्मासावि निरूद्धपञ्चन्द्यः सौत्रामणीति सप्त हविर्यक्षसंस्थाः। एतेऽभ्याधेयादयः श्रुतिप्रसिद्धाः। दर्श-पूर्णमासाविति समुदाय एकः संस्कारः सप्तप्रहणात् । सोमसम्बन्धाभावादेते हविर्यक्षाः। अग्निष्टोमोऽत्यिप्रष्टोम उक्थ्यः षोडशी वाजपेयोऽतिरात्रोऽप्तोर्याम इति सप्त सोमसंस्थाः। अग्निष्टोमे यत्र राजन्यस्य षोडशिग्रहो गृह्यते सोऽत्यिप्तष्टोमः। ब्राह्मणस्य कथमयं संस्कार इति पिन्त्यमिति हरद्तः। गैच्छिति गच्छतीति द्विरुक्तिरष्टमाध्यायसप्तम्यर्थे बोध्यम् । एतेचाधानादयो गृहस्थस्य नित्या इत्याद्यन्यत्र स्पष्टमिति। एते चत्वारिंशत्संस्काराः।

संस्कारो द्विविधो त्राह्मो दैवश्च । तत्र गर्भाधानादिस्नानान्तो त्राह्मः । अग्रिमो दैवः । अष्टो चात्मग्रुणा इति चात्मसंस्कारा इत्यस्मानुषङ्गः । आत्माऽत्र चित्तं तच्छुद्धावेवैते भवन्ति नान्य-थेति भेदेनोक्तिः । तथा चोपनयनाद्यधिकारसम्पत्तिरिति भावः । पाकयज्ञादीनां संस्कारत्वं १० च शाङ्खिलिखिताभ्यामुक्तम् ।

पाकयज्ञा हिवियेज्ञाः सोमसंस्थास्तथैवच ।
संस्कारास्त्विमहोत्रान्ता अमिहोत्रं तु जुह्नतः ॥
संस्कारैः संस्कृतं पूर्वेश्चरैरनुसंस्कृतः ।
नित्यमष्टगुणैर्युक्तो ब्राह्मणो ब्रह्मठौकिकः ।
ब्राह्ममपद्मवामोति तसान्न च्यवते पुनः ।

इति

ब्रह्मलोकिको ब्रह्मलोकार्हः । अष्टगुणाश्च सर्वभृतदया क्षान्तिरनस्या शोचमनायासो मङ्गल्य-मकार्पण्यमस्पृहेति । शौचं बाह्ममाम्यंतरश्च । अनायासः क्षेत्रकरकर्मानारम्मः । दूर्वागो-रोचनाहिचन्दनं मङ्गल्यम् । अकार्पण्यं संविभागशीलत्वम् । अस्पृहा परद्रव्यानिच्छा । एवमप्राचत्वारिशत्संस्कारास्तैः संस्कृत इत्यर्थः । त्रिषु अध्ययनेज्यादानेषु अद्धार्थेषु २० अभिरतस्तदर्थानुष्ठानपरः । एवमग्रेऽपि । षट्सु अध्यापनयाजनप्रतिग्रहस्त्पदद्यार्थसहितेषु वेति पूर्वान्विय । सामियकेति । पौरुषेयी व्यवस्था समयः । स च त्रिविधः, विधिर्नियमः प्रतिषध्श्च । तत्तन्मूला आचाराः समयाचारास्तेषु भवा धर्माः सामयाचारिकास्तेषु कुशल इत्यर्थः । यद्वा शास्त्रविद्वत्कृता मर्यादा वर्णाश्रमिणां पाषण्डाना च समयः । शिष्टानुष्ठित आचार इत्यर्थः ॥ ४ ॥

# याज्ञवल्कीये ५ श्लोकः

व्यवहारविषयमिति । 'प्रत्यर्थादिप्रतिक्लतया नृपादिषु कथनं व्यवहार' इत्युक्तमतः कथ्यमानं तद्विषयस्तमित्यर्थः । व्यपेतेन रहितेन । राक्षे इति । इदं तदिधकृतादेरप्युपल-क्षणम् । स्मृत्येत्यसार्थमाह । धर्मेति । तदोऽन्वयायाह । यदिति । उपलक्षणत्वादेवाह । प्राडिति । चेद्धों यदीति । पद्ये हिर्निश्चये । व्यवहारपदिमत्यसार्थमाह । प्रतिक्कोत्तरेति । १०

१ ख-पाठः । २ ख-अग्निष्टोमो । ३ ग-मप्युक्तम् । ४ ग-अइदं पूर्वतनं न सांप्रतिमित्य-न्यत्र स्पष्टं । ५ ख-प्रतिग्रहि सहितेषु तेषु ।

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एतत्षडात्मक इत्यर्थः । तस्य विषयस्य । अत एव तस्य विषयस्य द्वैविध्यमाह । स चेति । शङ्कारूपोऽभियोगो यसिन् विषये तत्त्वरूपोऽभियोगो यसिन् विषये इत्यर्थः । द्यभियोग इति सुजर्थान्तर्भावेण बहुत्रीहिः । विषयोऽन्यपदीर्थः । तदेव विशिष्याह । शङ्केति । असतान्त्विति । असतां चौरादीनां संसर्गाचौरत्वादिसम्भावना भवतीत्यर्थः । पहोद्धालोप्त्रमिति । छुप्यते इति लोप्तम् उणादिः । चौर्यधनम् । " चौरिकास्तैन्यचौर्ये च स्तेयं लोप्तं तु तद्धनम्''(२-१०-२५) इत्यमरः । लिङ्गमिति । अव्यभिचरितं चिन्हमित्यर्थः । इद्मुप-लक्षणमित्याह । साक्षाद्वा दर्शनमिति । अपहरतीति चेति । वा पाठेऽपि समुचये । विषयस मेदान्तरमाह । पुनश्चेति । द्यूतमाह्नय इति । द्यूतसैवोपाधिमेदेन भेद आव्हयाख्यः । इदमपि न परिगणनमिति सूचयन् पुनर्भेदमाह । एतान्यपीति । साध्येति । १० अवान्तरसाध्यभेदेनेत्यर्थः । एषाम् ऋणादानादीनाम् । तस्य पुनर्भेदान्तरमाह । क्रियेति । किया साध्यम् । शतशब्दोऽनैतवचनः । चेदित्यतः स्चितमाह । चेदिति । अन्यथा तत्प्रेरणो-छङ्काने दण्डापत्त्या चेदित्यस्यैच्छिकावेदनबोधकस्यासङ्गतिः स्पष्टैय । अस्य राज्ः। न च प्रापितमिति । कथञ्चन । अन्यायेनान्येन प्रापितमर्थे न गृह्णीयादित्यर्थः । यद्वा अन्येन प्रापितं निवेदितं अर्थम् कार्यं कथञ्चन अविचार्य न प्रसेत नोपेक्षेतेत्यर्थः । न चाप्रापित-१५ मिति पाठे तु, अन्येन विवद्मानेन तत्सम्बन्धिना वा अप्रापितमनिवेदितं कथश्चिद्वगम्य रागादिना न यसेत न याहयेदित्यर्थः । मूले परैरित्यत्र " खरितात्संहितायामनुदात्तानाम् " इति सत्रभाष्योक्तरीत्या परश्च परौच परेचेत्येकशेष इत्याशयनाह । परेरितीति । परेणे-त्याद्यर्थकं परेरिति बहुवचनान्तं पदमिति दर्शयतीत्यर्थः । बहुवचनाविवक्षया योजनं तु परेण-त्यादिग्रन्थस्वरसविरुद्धम् । एकस्येत्यस्य सर्वत्रान्त्रयः ।

्व एवं सित प्राप्तविरोधं परिहरित । यत् पुनरिति । यित्वयर्थः । न्यायित । धर्मिति । पाठान्तरम् । तिद्धन्नेति । पृथग्व्यवहारिविषयमित्यर्थः । यदैकेनेकोऽभियुक्तो मह्मसौ धारयतीति तर्दो तिस्निन्व्यवहारेऽनिष्पन्नेऽन्येनान्येन चान्यथा नाभियोक्तव्यः । निष्पन्ने तु क्रमेण तथेत्येवमेकस्य बहुभिर्विवादाभावो नत्वेते मह्यं धारयन्ति शतमित्येवमेकस्य बहुभिर्विवादाभावं इति भावः । इदश्च मत्तोन्मत्तेति व्याख्यानावसरे सबीजं स्कलेतत्पद्यव्याख्यानं २५ स्फुटीभिविष्यति । न्यूनतां परिहरित । आवेदोति । तृतीयान्तस्यार्थसिद्धमित्यवान्वयः । द्वितीयमाह । आवेदितं चेति । तृतीयमाह । आवेदिवादीनामित्यर्थः । आवेदिनतं चेति । तृतीयमाह । अकट्णेति । आधिव्याधिसहितादीनामित्यर्थः । अर्थसिद्धमिति । अन्यथाऽविनीतस्यावेदनमेव न घटेत उद्धतत्वेन राजसमीपे गन्तुमशन्यत्वात् । आवेदनान्तरं च तस्य र्युक्तत्वेऽपि यदि प्रत्यर्थिनो नाव्हानं तर्धा-वेदनमेव निष्फलमिति न कोऽप्यावेदयेत् । तथा च प्रजापरिपालनस्यैवासिद्धिरिति तेषामर्थ-२०सिद्धत्विमित्यर्थः ।

१ ख—पदार्थः । २ ग—नन्तरवचनः । ३ ख—चेलेतदिष सचितमाह । आवेदेति । ४ ख—तदे-तिसम् । ५ ख—विवाद इति भावः । ६ ख—ससक्छैतत् । ७ ख—नृतीयान्तमिल्यस्थार्थं । सिद्धं । ८ ग—उक्तत्वेऽपि । ९ ग—निष्प्रक्रमिवेति । १० ख—प्रतिपालन ।

इदं प्रमाणयति । र्म्मृत्यन्तरेत्विति । नारदीये त्वित्यर्थः । किं कार्यं का चेति । अर्थकृतो मैन्युकृतश्च प्रश्नमेदः । केन कर्वा कस्मिन्देशे कदा काले कस्मात्कारणात् । तयो- भैदस्योक्तत्वादाह । ससभ्येन्नाह्मणैरिति । मुद्राग्रहणं लेख्यस्याप्युपलक्षणम् ।

एवं प्रत्यर्थिन आह्वाने निषेधमाह । अकल्पेत्यादि । अकल्पः व्याध्याद्यमिभूतः । उत्पन्नसङ्कटः । क्रियाऽकुलः । नित्यनैमित्तिकादिकियाव्यमः । कार्याति-५ पातीति । वस्यागच्छतो गुरुतरकार्यहानिः सः । व्यसनी । इष्टवियोगादिदुःखवान् । द्वन्द्वान्ताकुलशब्दस्य प्रत्येकं सम्बन्धात् । नृपकार्यासक्तः उत्सवासक्तः । मत्तो मादकद्रव्येण । उन्मत्तः उन्मादेन पञ्चविधेन वातिपत्तरेष्ठिष्मसन्निपातग्रहसम्भवेनोपसृष्टः । प्रमत्तः । सर्वदाऽवधा-नहींनेः । आत्तों विपदादिना पीडितः । स्त्रीणां तन्निषेधमाह । नहींनेति । अनाधां सर्वजन-शोच्यामिति यावत् । सर्वेति । ब्राह्मणीम् । तत्र हेतुमाह । ता इति । ताः । हीनपँक्षादयः १० ज्ञातिस्वामिका इत्यर्थः । एवं स्त्रीणामाह्नाने निषिद्धे प्रतिप्रसवमाह । तद्धीनेति । तस्या अधीनं तादृशं यत्कुटुम्बं तद्यासीमस्तीति इनिः। एकदेशीतिवत्प्रयोगः । स्वैरिण्यो व्यभि-चाररताः । गणिका वेश्याः । निष्कुला हीनकुलाः । एतत्प्रसङ्गादकल्पाद्याहाने पूर्वनिषि-द्धेऽपि प्रतिप्रसवमाह । कालिमिति । तत्र प्रकारद्वयं शनैर्यानैरिति । एतत्प्रसङ्गादाह । ज्ञात्वेति । क्षुद्रकार्येषु तथा नेत्याह । गुर्विति । वेषमाहात्म्यात्तत्रापि विशेषमाह । अको- १५ पेति । इत्यादीत्यादिपद्याह्यमेवाह । आसेघेति । निरोधेत्यर्थः । आसेघयेदिति । विवा-दार्थी वादी आह्वानदर्शनपर्यन्तं तादृशं प्रत्यर्थिनं निरोधयेदित्यर्थः । तचातुर्विध्यमाह । स्थानेति । कृतः आसेधः । तद्विषयत्वात्तत्कृतत्वम् । एवमग्रेऽपि । अग्रे उभयत्र कृत इति शेषः । आसेध इति प्रृकृतं । असात्प्रदेशान्न गन्तव्यमिति स्थानासेधः । आसन्ध्यं न गन्त-व्यमिति कालासेघः । देशान्तरं प्रति न गन्तव्यमिति प्रवासासेघः । असौ व्यापारो न २० कर्तव्य इति कर्मासेधः। आसिद्धः निरुद्धः । तम् आसेधम् । विनेयः शिक्षणीयः। अन्यथा कुर्विमिति। अनासेषकाले आसेषं कुर्वन्नासेषकर्ता दण्ड्यो भवेदित्यर्थः । यहा आसेद्धा आसिद्धं तं लोमादिना सुभिन्नित्याद्यर्थः । 'नासिद्धस्तं विलङ्घयेदि'त्यस प्रतिप्रसवमाह । नदीति । नदीसन्तारादिनिमित्तचतुष्टयम् । तदितिक्रमणे दोषाभावमन्यत्राप्याह । निर्वेष्टु-काम इति । आश्रमान्तरं गर्नेतुकामः । विवाहादावुद्यत इति यावत् । यियश्चुर्यद्वमिच्छुः । २५ तत्कालं शिल्पकालं । आयुधीयाः आयुधजीविनो योद्धारः । विम्रहे संम्रामे । निर्वेष्टुकामा-द्योऽपि तदुक्षंघनेनापराधिनो नेत्यर्थः । सामान्यनिरोधस्यातत्वादाह । राजेति । ननु येषामक-ल्पादीनां शनैर्यानैरिप आगमनं दुर्घटं तत्र किं कार्यमत आह । केंल्पाद्य इति । ते-

१ ग—स्मृत्यंतरेखिति । २ ग—मवकृतश्च । ३ ख—न्याधितः । ४ यस्य गच्छतो । ५ ग—अव-थानहितः । ६ ग—अनाथा इत्यर्थः । ७ ख—एताः अहीनपक्षादयः । ग—एताः प्रहीनपक्षादयः षट् ज्ञातिस्वामिका । ८ ख—तदस्यास्तीति । ९ ग—निरोधयेदित्यर्थे । १० क—प्रकृते । ११ ग— मुंचन्स इत्याद्यर्थः । १२ ख—न तत्रेलर्थः । १३ ग—इत्यर्थः । १४ ग—अकल्पादय ।

पुत्रादयः । नियोगकृत् आज्ञाकारी । एतदन्यः परार्थवादी । स व्यवहारेषु विरुद्धं विविधं विशेषण वा ब्रुवन् दण्ड्य इत्यर्थः ॥ ५ ॥

### याज्ञवल्कीये ६ श्लोकः

अर्थशब्दसाभिधेयपरत्वनिरासद्वारा प्रयोजनपरत्वमाह । अर्थ्यत इति । भूतनिष्ठालब्ध
पर्मथमाह । पूर्वमावदनेति । अन्योति । अन्यथावादीत्यर्थः । क्रिया । कार्य । नोपस्थाता ।

समीपे न तिष्ठन् । प्रपलायी । प्रपलायनं प्रपलायः, सोऽसास्तीति प्रपलायी । स्मृत इतीति ।

वचनादिति शेषः । इति शब्दो हेत्वर्थो वा । अतो हेतोरित्यर्थः । पूर्वावतारितेतद्वचनोत्तराई
मेव शङ्कान्तरिनरासपरिमत्याशयेन शङ्कते । आवेदनेति । समाशब्दार्थः संवत्सरेति ।

तदर्धशब्दार्थः पस्नेति । अहर्यहणमुपलक्षणिमत्याह । तिथीति । प्रतिपदादिरित्यर्थः । अहः ,

पदार्थो दिनेति । न तु रात्रिरित्यर्थः । नाम्नः साकाङ्कत्वेन प्रकृतत्वादाह । अर्थीति ।

वेलेति । दिनमध्येऽपि प्रातरादिर्मुहूर्तरूपो वा कालविशेष इत्यर्थः ।

क्षमेति । प्रत्यर्थिविषये आसेधाद्यकरणं क्षमा सिहण्णुता, तत्र यानि लिङ्गानि कारणानि बाल्यर्जेडत्वादीनीत्यर्थः । तत्र मानमाह । यथोक्तमिति । तथोक्तमिति पाठान्तरं । नार-देनेत्यर्थः । अर्थवत् प्रयोजनवत् । धर्मसंयुक्तं । धर्मी गुणः, अल्पाक्षरत्वप्रभूतार्थत्वादिकस्तेन भ्पसंयुक्तम् । परिपूर्णमध्याहारानपेक्षम् । अनाकुलमसंदिग्धाक्षरम् । साध्यवत् सिषाधयि-षितार्थसिहतं । वाचकपदं बेंहुब्रीहिः । गौणलाक्षणिकादिपदरिहतम् । प्रकृतार्थानुबंधि पूर्वावेदितार्थानुरोधि । प्रसिद्धं । लोकप्रसिद्धवस्तुविषयम् । अविरुद्धं पुरराष्ट्राद्यविरुद्धं पूर्वा-पराविरुद्धं प्रत्यक्षादिप्रमाणाविरुद्धं च्यावहारिकधर्माविरुद्धश्व । निश्चितं अर्थान्तरसंशयरिहतम्। साधनक्षमं । साधनार्हम् । संक्षिप्तं अनितिविस्तृतम् । निखिलार्थे अनवशेषितवक्तव्यम् । २॰ देशकालाविरोधि । मध्यदेशीयकमुकक्षेत्रं शरत्कालीनाम्रफलसहस्रं मदीयमपहृतमित्येवमा-दिश्रून्यम् । वर्षेत्याद्येकपदम् । प्रदेशपदान्तँद्वन्द्वान्मतुप् । अहः प्रतिपदादिवीरो दिनं च । वेला प्रातरादिर्मुहूर्त्तरूपा च । देशो मध्यदेशादिः । प्रदेशः क्षेत्रादेः स्थलविशेषः । स्थाने-त्याद्यपि एकं पदम् । वयःशब्दान्तद्वन्द्वस्य तृतीयातत्पुरुषः । स्थानं वाराणसादि । आवसथो ग्रामादिः, ईद्वादिरूपस्थलविशेषो वा । साध्याख्या विवादास्पदीभृतवस्तुनाम । २५ जातिर्त्राह्मणत्वादिः । आकारो गवाश्वादिगतो वर्णादिविशेषः, गृहक्षेत्रादेः संस्थानविशेषश्च । वयः गवादेर्वयःपरिमाणं बाल्याद्यवस्थाविशेषः । साध्यप्रमाणसंख्यावत् प्राग्वत् । साध्यस प्रमाणं क्षेत्रादेनिर्वर्त्तनादिकम् । संख्या रूपकादीनाम् । आत्मधैत्यार्थेनामवत् स्पष्टम् । परेति । प्राग्वत् । परः प्रतिवादी । आत्मा वीदी । तयोर्थे पूर्वजाः पित्रादयस्ते चानेक-राजाश्चीनेके राजानो भुक्तिकालिकास्तेषां नामिश्चिह्वितम्। क्षमालिगात्मपीडावत् क्षमा-

१ ग—हेतौ हेतुमाह। २ ग—वाऽल्पजडत्वादीनि तदादीनीत्यर्थः। ३ ख—ग—तथोक्तमिति, यथोक्तमिति पाठान्तरं। ४ ख—वहुनीहेः। ५ ख—व्यवहारिक। ६ ग—विशेषि। ७ ख—प्रदेशान्त। ,८ क—हरुदि। ९ ख—साध्यप्रमाणं। १० ग—आत्मविशेषः साध्यप्रमाणसंख्यावत्। ११ ख—आत्म ११ ख—राजानश्च।

लिङ्गानि व्याख्यातानि, ( पृ० १० पं० १२ ) आत्मपीडा खदुःखं, तद्वत् । कथितेति । प्रतिग्रहादिनाऽधिगन्ता आहर्त्ता । दाता दायकः । कथितावाहर्नृदायको यसिन्वचने तत् कथितप्रत्यर्थिसम्बन्धकमिति वा । एतादृशं यद्वाज्ञे कथ्यते तदित्याद्यर्थः ।

भाषापदार्थमाह। भाषाप्रतिति । उत्तरार्द्धतात्पर्यमाह। आवदनेति । मात्रपदेन वर्षादिव्यवच्छेदः। अत एवाह। समेति । एतद्यवस्थामाह। संवत्सरेत्यादिना । संवत्सररूपविशेषण-५

मित्यर्थः। आधाविति । तत्र पूर्वत्वादिज्ञानाय तदावश्यकत्विमिति भावः। इदमये स्फुटीमिविघ्यत्यसाधारणव्यवृहारमानुकाप्रकरणे । अन्यत्रापि तस्य फलमाह । अर्थव्यवहारेऽपीति ।
उपयुज्यते इत्यत्रान्वयः । द्रव्यसामी आह । वत्सरान्तरे इति । इति एवमर्थम् । एवं
संवत्सरिवशेषणवत् । पुनस्त्वर्थे । तत्रेव वाराणस्यादावेव । निविष्टः निष्पादितः । संज्ञाचेति । अर्थिप्रत्यर्थिनोरेवेति भावः । अधिवसतीत्यधिवासः । बाहुलकात्कर्तरि घञ् । १ ।
अर्थाआद्यजन्तं वा १ (व्या० सू० ५-२-१२७ ) अधिः समीपे इत्याह । समीपेति । तन्नामानतरमाह । कृष्णभूम इति । "कृष्णोदक्पाण्ड्वत्यच्प्रत्ययो बैहुन्नीहेः" । पित्रिति लुप्तष्व्यन्तमित्याह । पितुरिति । एवमेव तत्र पाठो वा नामेत्यस्य सम्बन्धः । पित्रादेः साकाङ्कत्वादाह ।
अर्थेति । गुणानुकीर्तनानुपयोगात्प्रकृतत्वाचाह । नामेति । इतिरर्थसमाप्तौ । अनुगतफलितमाह । समेति । निर्धारणे षष्ठी । एवम् अर्थविदत्यादिना उक्तप्रकरिण ।

उक्तमिति । पक्षाभासलक्षणमित्यर्थः । निराबाधमिति । खपीडारहितमित्यर्थः । तदाह । अस्मदिति । निष्फलत्वस्य पृथगुक्तत्वादाह । अभिधेयेति । तत्र मानुषप्रमाणासम्भवादीह । अल्पेति । अयमुभयत्र हेतुः । भुक्तेस्तु सम्भव एव नेति भावः । अत एव दिव्याभावमाह । अरुपेति । विनिगमनाभावादाह । प्ररेति । तत्राद्ये स्पष्टत्वात् द्वितीये मानमाह । राज्ञेति । यत्प-दार्थो व्यवहारः । प्रकृतीनां जनानां नगरस्थानाम् । उपसंहरति । अन्ये इति । इतीति । २० प्राग्वत् व्याख्येयम् । अप्रसिद्धादीनां पक्षाभासत्विमवानेकपदसङ्कीर्णपूर्वपक्षस्यापि तत्त्वमेव । अनेकैः पदैः सङ्क्षीणीं यः पूर्वपक्षः प्रतिज्ञा सा न सिध्यति आभासरूपा भवतीति तदर्थ-प्रतीतेर्स्तिन्निराकरोति । यत्त्वित्यादिना । तत्र पद्शब्दः पद्यते ज्ञायते इति व्युत्पत्त्या किं वस्तुपरः, उत ऋणादानादिरूपव्यवहारविषयपरः । तत्र न तावदाचे पक्षाभासत्विमत्याह । तत्रेति । उक्तवचने इत्यर्थः । द्वितीयेऽपि तद्भावमाह । ऋणादानादिति । निक्षिंतं मयेति २५ शेषः । यत इति शेषोऽन्ते बोध्यः । वचनानर्थक्यपरिहाराय तस्याभिमतार्थमाह । किं त्विति । क्रियेति । साध्येत्यर्थः । एतावत् तत्रोच्यते इति शेषः । अत्र मानमाह । यथाहेति । बहुप्र-तिझं बहुपूर्वपर्क्षकम् । अन्यथैतस्य वैयर्थ्यं स्पष्टमेव । तसादुक्तैव वचनयोर्व्यवस्था । तदेव द्रदयन्नपसंहारत्याजेनाह । तस्मादिति । तस्यार्थ इति । उक्तवचनस्यार्थ इत्यर्थः । यथा-वेदितमर्थिनेत्यत्रार्थिपदस्वारसेन लब्धमर्थमाह । अर्थीति । अर्थिनः पुत्रोऽप्यर्थी । तत्पि-ताऽप्यर्थी । आदिशब्दादर्थिनियुक्तादयोप्यर्थिन इत्यर्थः । अत एव तेषामन्यथावादित्वं निरस्तं । १०

१ ख-भावाप्रतीतिः। २ ख-उत्तरतात्पर्थमाह। ३ ग-बहुन्नीहैः। ४ ग-सम्भवमादाबाह। ५ ग-स्वमेव नेति। ६ ग-प्रतीतेरिति प्रांचस्तिन्रा। ७ ख-स मंथेति ८ ग-बहुसाध्यक्रम्।

प्राक् " यो न भ्राते " त्यनेन वचनेन । ननु तत्पुत्रादेस्तदेकार्थत्वात्तत्वं युक्तं तिन्नयुक्तस तु तदभावात्कथं तत्त्वमत आह । नियुक्तस्यापीति । तत्र मानमाह । अर्थिनेति । तस्येति वाच्ये तयोरित्यस्य तात्पर्यार्थमाह । नियुक्तेति ।

मूलानुक्तं विशेषमाह । एतचिति । अर्थिवेदितमित्यर्थः । पाण्डुळेखेति । "खडी " ति ५ भाषाप्रसिद्धः । आवापेति । न्यूनाधिक्यपरिहाराय प्रक्षेपनिष्कासनाभ्यामित्यर्थः । युक्तं चैतत् । अन्यथा पत्राप्रामाण्यप्रसङ्गापत्तेः । तत्र मानमाह । पूर्वेति । सभावेनोक्तं न तु छलादिना । ततस्तद्गन्तरम् । तथा । विशोधितं पत्रेऽभिलेखयेदित्यर्थः । शोधने विशेषमाह । शोधने मिति । अवेति । उत्तरेणावष्टब्धस पूर्ववादस्य शोधनं निवृत्तं भवेदित्यर्थः । शोधये-विति । विधिसूचितमर्थमाह । पूर्वपक्षमिति । रागादिति । प्रागुक्तमिदम् । इतीत्यस्य बोध्य-१०मिति शेषः ॥ ६ ॥

#### याज्ञवल्कीये ७ श्लोकः

प्रत्यिक्षेनो वचनस्य उत्तरत्वे बीजमाह । पूर्वेति । उत्तरत्र अग्रे । तदीययथाकथि द्विद्वचनस्यानुत्तरत्वाय विशेषमाह । उत्तरं चेति । तद्विदः । व्यवहारिवदः । सारमित्यसार्थो न्याय्यम् । तद्या न्यायादिति । तृतीयान्तानां त्रयाणां यद्याख्येयार्थमित्यत्रान्वयः । दुः
भिष्ठेष्टेति । अश्विष्ठेष्टेति पाठान्तरम् । श्विष्ठं सम्बन्धयुक्तम् अदुष्टमिति यावत् । न श्विष्टमश्विष्टं असम्बद्धं दुष्टमिति यावत् । विभक्तिश्च समासश्च विभक्तिसमासौ । अश्विष्टो दुष्टो च
तौ विभक्तिसमासौ च तौ अध्याहारेण सह वर्त्तत इति साध्याहारं, तौ च तच तानि ।
तौरभिधानं तेनेत्यर्थः । दुःश्विष्टेति पाठेऽप्येवम् । दुःश्विष्टो दुःखेन सम्बद्धो यो तौ ताभ्या
मित्यर्थत्वाद्वुष्टत्वे पर्यवसानात् । अदेशेति । अन्यदेशेति पाठान्तरम् । उत्तरपदार्थमाह ।

२०तत्सदुत्तरिमिति । प्रत्ययेति । कारणोत्तरित्यर्थः । महामिति । धारेरुत्तमर्ण इति सम्प्रदान्तवम् । सत्येति । सत्यत्वोक्तिरित्यर्थः । प्रतिपित्ति । प्रतिपित्तिः सत्योत्तर
मित्यनर्थान्तरम् । नाहमिति । वाद्यक्तिः पूर्ववत् । एवमग्रेऽपि ।

द्वितीयभेदानाह । तचेति । मिथ्येतत् नाहं धारयामीत्येकं । नाभिजानामि नेव जाना-मीति द्वितीयम् । तदेति । तिस्निन्काले तिस्निन्देशे मम सान्निध्यमेव न स्थितिमिति तृतीयम् । १५ अजात इति । तत्काले ममोत्पित्तिरेव न स्थितेति चतुर्थम् । एवं प्रकारेण मिथ्योत्तरं चतुर्विधमित्यर्थः । अत्र स्पष्टत्वात्स्मृतिरेवोक्ता । पृथक् सङ्कीर्तनं न कृतमिति बोध्यम् । नाम त्वर्थे । विनिगमनाविरहादाह । प्रतिग्रहेणेति । लेखितः ण्यन्तस्य रूपम् । प्रत्यर्थां यदि तं पत्रारूढीकृतमर्थे तथा प्रपद्य तथैवाङ्गीकृत्येत्याद्यर्थः । आचारेणेति । व्यवहारेण पराजि-तोऽपीत्यर्थः । जितः पूर्वमित्येवं स वाच्य इत्यर्थः । सः तथोक्तिरूपः ।

३॰ स्मृत्यन्तरमाह । यद्यस्तमिति । तत्र । एकादशानां मध्ये । पञ्चादातमिति । अर्धन्यून-

१ ग—शोधनं चेति । २ क—अवेति; ख—अथवेति । अत एवेति । ३-ख—वृतीयांतं ४ ख—ताभ्यां सेत्यर्थत्वाद ।

तयाऽत्यत्पत्वम् । अत एव द्वैगुण्येनातिभूरित्वमाह । द्विशतिमित । समाहारे द्विगुः । पात्रादित्वात्स्नीत्वाभावः । पक्षैकिते । श्लोके तथाशब्दश्रार्थे । अन्यत् । पक्षैकदेशव्यापि चेत्यर्थः । पक्षैकदेशनिराकरणसमर्थेत्यर्थः । व्यस्तेति । असम्बद्धपदकमित्यर्थः । पक्षैकदेशव्यापिनोऽनुत्तरत्वे सकलपक्षाऽव्यापिनोऽनुत्तरत्वमर्थसिद्धमेवेत्यव्यापीत्यन्यथा व्याच्छे । देशोति । मध्येति । विन्ध्यिहिमाचलयोर्मध्ये इत्यर्थः । लिखिते इति । अन्तर्भावितण्यर्थमिद्म् । गुप्तार्थमाह् । अत्रेति । ध्विना । किमादिबोध्येन । तथाकुलमिति पाठो न तु निराकुलमित्यमित्रेत्याह् । आकुलमिति । दुःश्विष्टेति । प्राग्वत् (पृ.१२ पंक्तिः १५)। उमयोदाहरणमाह । यथेति । पित्रिति । पितुर्यो ऋणाभियोगस्तत्रेत्यर्थः । उत्तरमाह । गृहीतेत्यादि । इतीत्यन्तेन । अस्य तात्पर्यार्थमाह । अत्रेति । गृहीतेति । बहुन्नीहिः । तथा च गृहीतशत्वचनादित्यत्र दुःश्विष्टः समासः सुवर्णानामित्यत्र शतं गृहीतिमित्यसाध्याहार इत्युभयोरेकमेवोदाहरणम् । इतीत्यस्य १० विवक्षितमिति शेषः । उभयोरुदाहरणमाह । गृहीतमिति । अत्रेति शेषः । ईर्दशं यदुत्तरं तत् सार्थसिद्धये नेति द्वितीयश्लोकार्थः । तथा च तस सदुत्तरत्वमेव नेति पूर्वश्लोकवाक्यतेति बोध्यम् ।

अभिमतार्थसुचकतया न न्यूनतेत्याह । उत्तरमिति । श्रुतार्थसोत्तरं लेख्यमित्यत्र तथा निर्देशात्संडकीर्णोत्तरस्यानुत्तरत्वमित्यर्थः । ननु त्रिभिर्मिलित्वा पक्षस्य निराकरणेन तत्समर्थत्वा- १५ त्कुतोऽनुत्तरत्वमत आह । अनुत्तरत्वेचेति । तेनैव कात्यायनेनैव । न चेति । नहीत्यर्थः । स्यादिति । संभावनायां लिङ् । वादिनोः। अर्थिप्रत्यर्थिनोः। एकत्र । अन्यतरिक्षन् संभवतीति शेषः । सङ्करस्यानेकविर्धत्वादादौ द्वयोः सङ्करे आद्योदाहरणमाह । मिथ्येति । वादिनोरित्य-स्यार्थमाह । अर्थाति । न वादिद्वयपरत्विमिति सूचियतुं । मिथ्यति ^{१०} । अन्ययमिदं मिथ्योत्तरे इत्यर्थः । पूर्ववादे कर्मण्यण्, वादिनीत्यर्थः । कारणे । कारणोत्तरे । विरुद्धामिति । तथा च २० कर्तुमशक्यत्वादुभयोर्नार्थसिद्धिरिति भावः । न चार्थेति चोक्त एवेत्यर्थे । न चैकत्रेत्यस्य तत्रैवोदाहरणमाह । कारणेति । तयोर्मिथः संकरेत्वित्यर्थः । एवेनार्थित्यवच्छेदः । प्राङ्न्यायेति । तयोरुक्तावित्यर्थः । नेदं प्रत्येकपरम् । कारणांशे " कारणे प्रतिवादिनी " ति सिद्धत्वात् । तस्मात्तत्साङ्कर्यपरमेवेदम् । अत एव समासनिर्देशसङ्गतिरिप । इतिः प्राग्वत् । नन्वत्रैकस्यैव किया न द्वयोरिति न प्राग्विरोघोऽत आह । अत्रचेति^१। द्वितीयसङ्करेत्वित्यर्थः । सर्णौ-२५ दिति शेषः । भावेति । साधियतव्यमेतैः कृत्वेत्यर्थः । आदिना दिव्यपरिग्रहः । उत्तरत्रये ति । मिथ्याकारणप्राङ्न्यायरूपेत्यर्थः । एवं चतुरिति । यथा अनेन सुवर्णे रूपकशतं वस्राणि धान्यं च गृहीतमित्यभियोगे, सुवर्णे धारयामि, रूपकशतं न गृहीतं, वस्राणि प्रति-म्रहेण लब्धानि, धान्यविषये पूर्वन्यायेन पराजित इति । एवं मिथ्याप्राङ्न्यायसङ्करेऽपि द्रष्टव्यम् ।

१ ख-पदरूपम् । २ ग-गुप्तार्थमिदम् । ३ क-गुद्धार्थः । ४ ग-कुलमितीत्वभिष्रेत्वः । ५ ख-आद्योदाहरणमाइः । ६ ख-तथा कुलमिति पाठे न तु । ७ ग-तत्रेति । ८ ग-इदं वा । ९ ख-अनेकलादादौ । १० ग-अमिथ्येति । ११ ख-वेति १ १२ ख-पाठः ।

नन्वत्र सर्वत्र ऋमेण क्रियाद्वयस्य सुकरत्वात्कात्यायनोक्तमसम्भवरूपं तत्कारणकथनमग्र-क्तमतस्तदाशयमाह । एतेषां चेति । असिद्धेरिति च्छेदः । अत एवैतन्फिलितमाह । क्रमेणेति । कमेणत्वित्यर्थः । तत्र नियामकाभावादाह । क्रमश्चेति । चेनै प्राड्विवाकादेः समुचयः । एवं प्राप्ते कचिन्नियामकमाह । यत्रेति । यत्रत्वित्यर्थः । उभयोरिति । मिथ्याकारणोत्तरयोरित्यर्थः । ५इदमुपलक्षणं ज्यादेरपि । यस्य । उत्तरस्य । परत्वं । रूपत्वं । तत्कियोपेति । तत्साधक-कियाग्रहणेनेत्यर्थः । पश्चादिति । अल्पविषयकोत्तरसाधकक्रियाग्रहणेनेत्यर्थः । सत्योत्तरसङ्क-रस्य पूर्वमनुपन्यासे बीजं ध्वनयन् तत्र नियामकान्तरमाह । यत्र चेति । फलाभावेन पश्चा-दपि तद्भावादत्र पूर्वमिति नोक्तम् । तदाह । सम्प्रोति । उँक्तनियामकद्वये मानमाह । यथेति । उक्तमित्यत्रान्वयः । द्वितीयमाह । सत्यंवापीति । यद् उत्तरम् । द्वितीये आह । १० यत्र वेति । उत्तरे इत्यर्थः । तत्र तदुत्तरमसङ्कीर्णे ज्ञेयमित्यर्थः । अतो ८न्यथेति । यत्प्रभूतार्थ-विषयकमुत्तरं न भवति अपि तु समार्थविषयकं, यत्र चोत्तरे कियाफलमुभयत्र भवति तत्। अतः। पूर्वोक्तात् । अन्यथा। प्रकारान्तरमित्यर्थः । तत्त्वमेव कथयन् तद्रथमाह् । सङ्की-र्णिमिति । वाक्यपूर्तये आह । भवतीति शेष इति । अत्रापि संकीर्णत्वादनुत्तरत्वमेव सर्वथा नाभिमतं किं तु यौगपद्येन तत्वम् । अर्थ्यादीच्छाक्रमेण तु तत्वमेवेति प्रागुक्त-१५ मेवाह । ऐच्छिककममिति । तदर्थमाह । अपेक्षाकमिति । अर्थ्याद्यपेक्षाकमकं भवतीत्यर्थः । पुंक्षिंगपाठे तत्पुरुषः । तत्रेति शेषः । तत्र । तयोर्मध्ये । द्वितीयोदाहरणमाह । तथेति । तसिमन्नेवेति । अनेन सुवर्णे रूपकशतं वस्त्राणि च गृहीतानीति पूर्वोक्ते एवाभियोगे इत्यर्थः । तानीति शेषः । दास्यामीत्यस्य इत्युत्तरस्येति शेषः । इति चोत्तरे । इत्यन्यतमोत्तरेण साङ्कर्ये । तथा चात्र दास्यामीत्यन्तस्य सत्योत्तरस्य यथाक्रमं २० मिथ्योत्तरेण कारणोत्तरेण प्राङ्न्यायोत्तरेण च सङ्करो बोध्यः । सङ्कीर्णोत्तरे विषयसाम्ये ऐ-च्छिकः क्रमस्तद्वेषम्येऽप्यधिकविषयोपादानेन प्राग्व्यवहार इत्युक्तम् । तत्र द्वितीयस्यापवादमपि प्रसङ्गात्सूचयन् प्रकृतमाह । सम्प्रतीति । एतद्रथमेव तसिन्नेवाभियोगे इत्युक्तम् । अन्यथा-Sभियोगान्तरमेव वदेत् । मिथ्याद्यत्तरेति । मिथ्याद्यन्यतमोत्तरेत्यर्थः ।

एवं तादशसङ्कीणींत्तरस्य यौगपचेन सर्वथाऽनुत्तरत्वे प्राप्ते कचित्प्यतिप्रसवमाह । यत्रत्विति रूप्त्रिक्ष्माहिकयेति । तन्यायेनेत्यर्थः । कश्चित् । वादी । अन्यः । प्रतिवादी । उत्तरमिदं । आदावृत्तरत्वं साधयति । इदिमिति । तावत् । आदौ । तत्वस्येवोत्तरत्वस्य प्रागुक्तत्वादाह । पक्षेति । साङ्कर्ये प्रतिपादयति । नापीति । एवेनान्यव्यवच्छेदः । तथा चासाङ्कर्यम् । कारणं कारणमेव । एकदेशस्य प्रहणस्य साङ्कर्यमुपसंहरति । तस्मादिति । सकारणमिति । अत्र कारणस्याप्राधान्यं मिथ्योत्तरस्य प्राधान्यं तस्य तदुपपादकत्वस्यापि सम्भवात् । अत एव २० तत्र सहयोगे तृतीया कृता । प्रागुक्तवाधकस्यात्राभावमाह । अत्र चेति ।

प्रतिवादिना तस्यैव उक्तमभिष्रेत्य प्रधानन्यायादरेण शङ्कते । नन्विति । परिहरति । नेति

१ ख—चेति । २ ग—नियमकमाइ । ३ ख—न्यासबीजं। ४ ग—युक्त । ५ ख—तानीत्यस्येतिशेषः । दास्यमिति । ६ स ग—हीनादीत्यस्येति शेषः । ७ ख—एकदेशादाह पक्षस्येति । ८ ख—कारणस्याप्यप्राधानं ।

तत्र हेतुमाह । तस्येति । वचनस्येत्यर्थः । तुल्ययुत्त्याशङ्कते । कारणे इति । एवं चानुत्तरत्व-मेवैतस्येति भावः । नतु गुद्धकारणोत्तरं प्रागुदाहृतं प्रसिद्धमेवेति तद्भावोक्तिरयुक्ताऽत आह । प्रसिद्धिति । सत्यं गृहीतं प्रतिदत्तं चेत्येवंरूपे प्रागुक्तेऽपीत्यर्थः । गढेलादार्थेकेति । ग्रहणस्येत्यर्थः । नैकेति । साधारणस्येत्यर्थः । उदाहरणेनेदं विशदयति । यथेति । प्रकृतो-देति । अन्यस्तु मिथ्येतत् मैत्प्रदर्शितकालादित्यादि पूर्वोक्त इत्यर्थः । देशस्येति । तस्या-५ पीत्यर्थः । (क्रचित्तथापाठएव ) । विशेष इति । मिथ्या सहचरितरूपत्वं तूभयत्र समानमिति भावः । ऐवं सिद्धेऽर्थे मानमप्याह । एतचेति । वापीति । अनेन त्रिंसांकर्येऽपि कारणमेव श्राह्ममिति दर्शितम् । प्रतिप्रसवान्तरमाह । यत्रेति । यत्रचेत्यर्थः । एवमुत्तरत्वे साधिते तन्निर्वा-होपायमाह । अत्रापीति । मिथ्याक्रियेत्यस्य शुद्धमिथ्याविषयत्वादाह । प्रतीति । प्तेन वादिव्यवच्छेदः । अत एवाह । प्राङ्न्यायेति । नन्विदं कारणप्राङ्न्यायसङ्करविषयतया पूर्व- १० मक्तमिति कथमत्र प्रवृत्तिरत आह । शुद्धिति । कन्यथेति शेषः। तथा च संकीर्णत्वात्तत्वप्रसङ्गो, न च तद्युक्तं पक्षव्यापित्वादिति भावः । यद्वा शुद्धस्य प्राङ्न्यायस्याभावाद्वचने क्रियाबो-धकेऽपाठात्तत्र कस्यापि कियाया अलामेन सर्वस्यापि प्राङ्न्यायस्यानुत्तरत्वप्रसङ्गो, न च तद्युक्तं तत्र तस्य गणनात् । तथा च यथा तयोस्तर्त्र तस्य प्रवृत्तिस्तथा कारणस्य मिथ्यासह-चरितरूपत्वात् सांकर्ये शुद्धप्राङ्न्यायस्य प्रवृत्तिरिति भावः । शुद्धप्राङ्न्याये तु वक्ष्यिति व्याख्या- १५ कृत् प्राङ्क्यायविधिसिद्धौ त्विति ।

ननु पक्षनिराकरणसमर्थस्यैवोत्तरत्वे संप्रतिपत्तेरनुत्तरत्वप्रसङ्गस्तद्भावादत आह । संप्रतिपत्तेरपीति । उत्तरत्विमत्यत्रान्वयः । नोपेति । प्रत्यिंगेति भावः । एवं यत्र प्रतिवादिन एकक्रियास्थले उक्त्वा तस्यैव कियाद्वयप्रसंगो यत्र प्रागुक्तस्तत्र विशेषं प्रतिपादयन्प्रतिप्रस्वान्तरमाह । यदा त्विति । यदाऽपीत्यर्थः । तत्र । तत्रापि । यथारुचीति । तस्यैव तयोर्मध्येऽ-२०
न्यतरिक्रयेत्यर्थः । संकीर्णोत्तरस्य युगपदनुत्तरत्वमुक्तमुपसंहरति । इति न क्रचिदिति ।
निवेशिते । लेखिते । प्रागुक्तव्युत्पत्तेराह । साध्यवानिति । स्पष्टार्थमाह । प्रतीति ।
भावेऽर्थासङ्गतेरिष्टासिद्धेश्चाह । साध्यत इति । 'प्रमाणं लिखिता ' दि वश्यमाणं । पूर्वत्र
न्यूनतां निराचष्टे । अत्रेति । *अपिना सद्यः । मिथ्याक्तियेति प्रागुर्क्तार्थस्य मूलारूढत्वं सूचयन्नर्थिशब्दस्यात्र यौगिकत्वं न योगरूढत्विमित सूचनद्वारा न्यूनत्वाभावं प्रतिपादयित । अर्थाति । श्वर्वेति ।
नुर्वेलक्षण्ये । निर्दिशेत् । लेखयेत् । ण्यर्थान्तर्भावः प्राग्वत् । अन्यद्प्याह । तथिति । स्र्योंवेति । आक्षेपादेव कर्नृलाभे तदुक्तिर्नियमार्थेति भावः । अतस्रोति । गम्यते इत्यत्रान्वयः ।

१ ख—असाधारणस्य । २ ख ग—एतत्प्रदिशित । ३ क—एव । ४ ख—त्रिभिरिप सङ्करे । ग— त्रिसांकर्येडपि । ५ ख—एवेन । ६ ख—अत्रेति । ग-अन्यथा अत्रेति । ७ ख ग—अभावेन । ८ ख— पाठः । ९ ख—लिखिते । १० ख—प्रागुक्तस्यार्थस्य । ११ क—अपिः । १२ ग—अर्थ्येवेति ।

^{*} कालविलम्बनमपि इति मिताक्षरास्थेन अपिशब्देन सद्य इत्यर्थो बोध्यः । उत्तराभिधाने कालविल-म्बनमङ्गीकृतं न तु शीव्रमुत्तरदानस्यानङ्गीकार इति भावः ।

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तावतेव । तादशोत्तरदानेनैव। अत्र सर्वत्र मानमाह । एतदेवेति । अर्थीत्यादिनोक्तमेवेत्यर्थः । प्राङ्न्यायेति । अस्याशय उक्तः । वादी तु कियां निर्दिशेत् । सा । किया ॥ ७ ॥

### राज्हाद्यारे ८ श्लोकः

ततः । साधनलेखनोत्तरम् । प्रकारान्तरे इत्यस्य व्याख्या साधनसिद्धाविति । एवं ज्यवहारतिद्विषयादिकथनप्रकारेण । रूपं । स्वरूपं । व्यवहारपदार्थं स्पष्टार्थमाह । व्यवहारिति । सोऽयं । व्यवहारोऽयम् । इत्थम् । उक्तप्रकारेण । मुख्यपादत्वासम्भवादाह् । चतुरंशिति । ऋणादानादिषु वक्ष्यमाणेषु विषये । तानेवांशान्विभज्य दर्शयति । तत्रोति । तपां मध्ये इत्यर्थः । विप्रतिपत्तिषु सतीषु । अस्य न सार्विविकमित्याह् । संप्रतीति । अनिर्देशे हेतुमाह । भाषार्थिति । चो लक्ष्मण इत्यत्रे प्रयोज्यः । तेन साधनिकयापादसमुचयः । यद्वा चो हेतु- । समुचये एव । लक्षणः । लक्षणोऽपि । कचित्तथा पाठ एव । अतएबाह । द्विपात्त्वमेवेति । न्यूनतां निराचष्टे । उत्तरेति । अर्थिप्रत्यार्थनोः । मध्ये इति शेषः । प्रत्येति । पोनःपुन्येन विचारणस्यत्यर्थः । अस्य व्यभिचरितत्वादाह । व्यवेति । अर्थ्यादिसम्बन्धिन एव तत्त्विमिति भावः ॥ ८ ॥

इति साधारणव्यवहारमातृका ।

### अथ असाधारणव्यवहारमातृकाप्रकरणम्॥२॥

# याज्ञवल्कीये ९ श्लोकः

प्रकृते योगरूढत्वमर्थान्तरिनरासायाह । अभियुज्यते इति । दोषिविषयीक्रियते इत्यर्थः । येनेति शेषः । करणे घनः सौलभ्यात् । यथाश्रुतं वा । सम्बध्यते इति तदर्थात् । एनिमित्यत्र कथितानुकथ्नसत्वेनान्वादेशविषयत्वादेनादेशः । अपराधेनेत्यस्य विशेषपरत्वाय शङ्कते । यद्य-२० पीति । सत्यं गृहीतं प्रतिदत्तचेति कारणोत्तरस्थाने न दत्तं स्थितं मया पुनर्दत्तमित्येवं प्रत्यिभयोगरूपत्विमित्यर्थः । विषयत्विमिति । तथा चाभियोगनिवारकमेव प्रत्यभियोगं कुर्यादेव न तदिनवारकम् । अन्यथा सत्यं मिथ्योत्तरिभत्यादिना चातुर्विध्यकथनस्येवासङ्गत्त्यापत्तेरेतिन्नषेष-वैयर्थ्यापत्तेश्च । तदाह । अत इति । अनुपमर्दनेति । करणे त्युट् । निषेध इति । नैनं प्रत्यभीति निषेध इत्यर्थः । तथैव सम्भवादाह । इदिमिति ।

भूते कर्मणि निष्ठायां तन्निस्तारे जाते तस्येष्टत्वेनासङ्गति परिहरति । अनिस्तीर्णेति । भावनिष्ठान्तान्मत्वर्थीयोऽजिति भावः। अन्येनेत्यस्य पूर्वाभियोगे सम्बन्धात् योग्यतया शेषमाह । अन्योऽधीति । प्रतीत्यस्य सम्बन्धायोग्यत्वात्तमपहायाह । नाभीति । नोक्तमित्याद्यक्तिर-प्यानन्तर्यादिधिनं प्रत्येवेत्याह । किं चेति । प्रकृतिशब्दः स्वभावार्थको 'दुस्त्यजा प्रकृतिरि-

१ ख--- उपलक्षण इत्यमे योज्यः। २ ग--- कथितानुकथनसत एव तत्विमिति भावः। ३ क---सङ्गत्वापत्ते। ४ ख----- याते। ५ ग----- असंनेत्यस्य।

त्यादौ ' दृष्टः । शिक्कितुमेतत्तात्पर्यार्थमाह । एतिद्ति । तथैवेति । अन्यथाऽन्यथावादित्वेन भंगप्रसङ्गादिति भावः । इदं प्रतिपादितमधस्तात् । अपिः तस्यैव समुच्चये । एवमग्रेऽपि । अत एवाह । निन्वित । तदेवेति । तथा च वस्त्वन्तरकथननिवृत्तिस्तेन क्रियते । एकस्मि-अपि पदे । ऋणादानादिव्यवहारिवषये इत्यर्थः । अवव्यवच्छेयमेवाह । न वस्त्वन्तरामिति । तदेवोदाहरणकथनेन विशद्यति । यथिति । यद्यपि ऋणादाने रूपकमेव व्यवहारिवषयो भवित, तथापि रूपकशतस्थाने वस्रशतोक्त्या वस्त्वन्तरोपादानमिति तन्निषघस्तेन क्रियते इति भावः । एतेन शतरूपस्य विषयस्यैकत्वादयुक्तिमित्यपास्तम् । प्रागुक्तं दार्ढ्याय स्वारयति । तथा सतीति । पदान्तरगमेति । विषयान्तरं प्रत्यगमनेऽपीत्यर्थः । अत्र प्रकरणे पदशब्दो विषयवाची । इत्यनेन हत्यनेन तु । यथेति । अत्र रूपकशतरूपवस्तुन एकत्वेऽपि ऋणा-दानापहरणरूपयोर्व्यवहारिवषययोभिन्नत्वेन तद्भनमनेन नोक्तिमित्यनेन निषिध्यते इत्यर्थः । उक्तमेव स्पष्टार्थमुपसंहरति । तत्रोति । प्रत्यर्थिन इत्यत्रेत्यर्थः । वैपरीत्याशङ्का तु न । "यथा-विदितं, नोक्तं विप्रकृति" मित्येतस्वारस्यात् ।

तत्राधे मानस्योक्तत्वार्ते द्वितीये तदाह । एतदेवेति । द्वितीयमुक्तमेवेत्यर्थः । पदसंक्रेति । पदान्तरं प्रतिगमनाद्वस्त्वन्तरगमनाचेत्यर्थः । वादेति । पाठान्तरम् । तत्र साधारण्यमस्य बो-ध्यम् । आद्ये तु प्रकृतपरत्वमेवेति तत्त्वम् । 'हीनवादी दण्ड्यः स्यादित्युक्तं ' सविशेषं १५ विशद्यति । हीनेति । दण्ड्य एवेत्यर्थः । अत एवाह । न प्रेति । वचनस्थक्रमेणाह । प्रत्येति । सिद्ध्यसिद्धीति । हीनवादित्वे प्रकृतार्थासिद्धिरतथात्वे तत्सिद्धिरित्यर्थः । अत्र मानमाह । अत एवेति । मूलकृदिति शेषः । अस्यार्थोऽग्रे एव स्फुटः । इदमपि न सार्वत्रिक-मित्याह । एतचोति । हीनवादी दण्ड्य एव, न प्रकृतार्थाद्वीयते इत्येतदित्यर्थः । अर्थेति । उक्तविषयव्यवहारे एवेत्यर्थः । मन्युकृते त्विति । वाक्पारुष्यदण्डपारुष्यादिव्यवहारे इत्यर्थः । २० अपिना दण्डसमुच्चयः । तथा चैवंविधे वाक्छले व्यवहारहानिर्दण्डश्रेति भावः । उक्तार्थस्य स्पष्टतयाऽभासादाह । अस्यार्थ इति । अर्थपदन्यावर्त्यमाह । न मन्युकृतेष्विति । अन्यत्र तस्य स्पष्टत्वादेवाह । अपीति । नावसीद्तीत्यस्य व्याख्या । न पराजीयते इति तद्याख्या । न प्रकृतादिति । उत्तराईस्यासम्बद्धत्वं पुनरुक्तत्वं च परिहरति । अत्रोदेति । सामान्योक्तौ विशेषोक्तिर्दृष्टान्त इति भावः । तत्वं योजयति । **प्रमिति** । शास्यपदार्थी । द्-२५ ण्ड्योऽपीति । उदाहरणत्वादेवाह । यथेति । शेषपूरणमनयोरिति भावः । अत एव वाक्-छले इति सप्तम्यन्तच्छेदो न तृतीयान्त इति बोध्यम् । अत एव च वैपरीत्यशङ्का नेति गृहा-कूतं । एवं शाब्दमार्द्यार्थमुक्तवा द्वितीयमर्थपदध्वनितमाह । अर्थेति । श्वानेनेति । तृतीयान्तं न प्राग्वत्सप्तम्यन्तम् । सूचितस्योदाहरणमाह । यथाऽहमिति ॥ ९ ॥

१ ख ग—स्मरति । २ ग—त्वेऽपि द्वितीयसाधारणं तदाह । ३ ख—विषयोक्ति । ४ ख—पदेति । ५ ख—गृढं कृतं । ६ ग—शब्दमावर्थं ।

अमादाभिधानेनेति ।

### याज्ञवल्कीये १० श्लोकः

सङ्गतिमाह । अभीति । इत्यस्येति । इत्यंशस्येत्यर्थः । तथा च प्रत्यर्थिविषये एवायमपीति भावः । निमित्तेति । बहुव्रीहिः । ननु साहसादावपि प्रत्यभियोगासम्भवेऽभियुक्तस्य कथं तत्क-रणविधिरत आह । प्रत्यभीति । तथा च तदसम्भवेनेव कुर्यादिति सम्भवाभिपायकमेवेतद्वच- भनमिति भावः । स्वाभीति । स्वयमभियुक्त इत्यादिः । तथा चेदं साहसादावेवेति, तद्चविषयैकं तदिति भावः ।

नन्वेवंविधस्थले प्रत्यिभयोगः किमुत्तरं सत्सार्थकः, असार्थकः, उत प्रतिज्ञान्तरं सत् । नादः, पूर्वपक्षनिराकरणासमर्थत्वेनानुत्तरत्वात् । नान्त्यः, अभियोग एका प्रतिज्ञा प्रत्यिभयोगश्चान्य । ततश्च सङ्कीर्णोत्तरे यथा युगपद्मवहारासम्भवादनुत्तरत्वमेवं प्रतिज्ञान्तरेऽपि तदमम्भवस्य तुत्य- श्वात् । अप्रतिज्ञात्वेन प्रत्यिभयोगविधेरेव वैयर्थ्यात् । एवं च वचनार्थो दुर्वच इत्याशयेन शङ्कते । नन्वज्ञापीति । द्वितीयपक्षमाश्चित्य समाधत्ते । नाज्ञिति । तत्राद्योदहरणमाह । अनेनिति । दण्डेति । प्रत्यभियोक्तिरिति भावः । एवमुक्ततात्पर्ये मानमाह । यथाहेति । अक्षारयेत् । कायेन वाचा वा क्षीणं कुर्यात् । नियतं । निश्चयेन । नयो । दण्डः । द्वितीयोद्याहरणमाह । यदा पुनिरिति । यदा त्वित्यर्थः । पारुप्ये इति । वाग्दण्डेत्यादिः । अत एव भिसामान्योक्तिः । इदमेव तत्र कलहपदेनोक्तम् । एवज्ञ तदेकवाक्यतया तस्यके एव आशयस्त- देतदिभिष्रेत्य प्रागुक्तमुपसंहरित । प्रविमिति । उक्तप्रकारद्वयेनत्यर्थः । एवं सितीति पाटान्तरम्। उक्तवचनस्यैवंतात्पर्यकत्वे सतीति तद्र्यः ।

अव्यवहितसङ्गत्यभावादाह । अर्थाति । शेषं विशेषाभावादाह । सर्वेष्विति । कार्यस्य निर्णय इत्यर्थेऽर्थासङ्गतेराह । निर्णयस्येति । तस्मिन् समर्थ इति । द्विविधदाने समर्थ १० इत्यर्थः । मालजामिन इति भाषाप्रसिद्धोऽयम् । अनेनाताद्दशस्यातत्त्वमुक्तम् । प्रतिभूशव्दो योग-रूढ इत्याह । प्रतीति । प्रतिः प्रतिनिध्यर्थक इत्याह । तद्विदिति । प्रकृतत्वादाह । सस-भ्येनेति । शेषोऽयं प्राह्मपदान्यथानुपपत्तेः । अनुक्तं विशेषद्वयमाह । तस्येति । प्रतिभुव इत्यर्थः । उभयत्र मानमाह । यथाहिति । अथोति । पक्षान्तरे । तत्र समर्थ इत्यर्थमाह । कार्येति । वादिन् न इति । द्वयोरेकशेषः । जातावार्षे वा एकवचनम् । तेन वादित्वेन अर्थिप्रत्यर्थिनोः समासेन १० प्रहम्म । एवमग्रेऽपि । रक्षितः भृत्येन । इद्मुपलक्षणं तस्यापि इति केचित् । वादित्वमुभयोरपीति प्रत्येकाभिप्रायमेकवचनमित्यपरे । तुश्चार्थे व्युत्कमे च । वादिनश्चेत्पर्थः । चेन तत्संग्रह इति परे ॥ १० ॥

### याज्ञवल्कीये ११ श्लोकः

निर्णयकार्यमुक्तरूपं खयमुक्तं समूलयति । अर्थाति । किमिति । तत्रेत्यादिः । योग्य-३९ तयोपस्थितत्याचाह । प्रकृतमर्थिन इति । तत्त्सममिति । प्रकृतधनसममपलापनिमित्तकद-

१ ख—विषयके । २ प्रत्यभियोगे चान्येति युक्ततरः पाठः । ३ ख ग—तस्योक्त । ४ ख—सन्तीति । ५ तथाहेति भैताक्षरापुस्तके पाठः । ६ ख—वचनमित्यपारमिति परे ।

ण्डमित्यर्थः । जात इतीति । स इति शेषः । अभियोगादित्यत्र 'कमिण चक्' इत्याह । अभियुक्तिति वहेदित्यसार्थः । दद्यादिति योग्यतयौ तदनुषङ्गणाह । राक्षे इति । मिथ्योक्तरिवषये उक्तन्यायमन्ययोरप्यतिदिशति । प्राङ्न्याये इति । तत्प्रकारमाह । तत्रार्थ्यं वेति । असिन्नर्थेऽयं पूर्वे पराजित इति प्राङ्न्यायोक्तरे, गृहीतं प्रतिदत्तमिति कारणोक्तरे च दक्ते, पूर्वन्यायं प्रतिदानं च प्रतिज्ञावाद्येवापरुपतीति स एव अपरुप्यवादीत्यर्थः । भावित इति । पराजयरूपप्राङ्न्यायस्य प्रतिदानस्य च साधनादङ्गीकारितो वादीत्यर्थः । दण्डं दण्डमेव । अन्यस्य देयसामावात् । मिथ्याभियोगीति । मिथ्यावादीत्यर्थः । इतिहेतौ । मिथ्यावादित्वेनत्यर्थः । दिगुणमिति । प्रकृतधनेत्यादिः । धनं । दण्डरूपमविश्वं । तुर्योक्तरे तु नैवमतिदेश इत्याह । संप्रति दण्डाभावेति । निन्हवाभावात् । तदीयं तु देयत्वेनाम्युप्गतमेवेति भावः ।

विशेषमाह । एतचिति । निन्हवे भावितो द्वादित्येतदित्यर्थः । पदान्तराणि द्विविधानि १० सधनानि अधनानि च । तत्र सधनेष्वाह । पदान्तिति । सधनेष्वत्यर्थः । तत्र तत्रेति । एवं च विशिष्यविधानादेतस्य सामान्यस्य तत्र बाधादप्रदृत्तिरिति भावः । अधनेष्वाह । अधनेष्वाह । अधनेष्वाह । अधनेति । वाग्दण्डपारुष्यादिव्यवहारेषु प्रकृतधनसमदण्डदानस्य तद्विगुणदानस्य वसामम्भवाचेन्त्यर्थः । उपसंहरति । न सर्वेति । अत इत्यादिः । यद्वा एवव्यवच्छेद्यमाह । न सर्वेति । नन्तत्तदण्डस्य ऋणादानमात्रविषयत्वमपि न । तत्रापि " राज्ञाऽधमणिक " इत्यनेन विशिष्य १५ दण्डस्य वक्ष्यमाणत्वात् । अन्यथा तस्य वैयर्थ्यापेतेः । वचनद्वयप्रामाण्याद्विकल्पाङ्गीकारे तु तद्वत् सर्वविषयताऽपि अस्य सादितीदं व्यवस्थापनमयुक्तमत आह । राज्ञेति । तत्प्रकरणात्प्र-तिपन्नार्थसाधनविषयमिति । न कोऽपि दोष इत्यर्थः ।

ननु अन्यत्र दण्डस्याभिधानेऽपि द्वैगुण्यस्यानभिहितत्वादुत्तराधेंक्तस्य विधानं सम्भवतीत्येतत्यवृत्तेरावश्यकत्यया पूर्वाधस्यानुवादपरतया एकवाक्यतया योजनसम्भवादणादानमात्रविषयतया ३०
व्यवस्थापनमयुक्तमत् आह । एतदेवेति । शब्दमर्यादया तथा प्रतीत्यमावादाह । कथिमित ।
अत एव सामान्यशब्देन व्याच्छे । अभियोगस्येति । तत्समिमिति । व्यवहारतुत्यमित्यर्थः ।
यत्र यत्र व्यवहारे योय उक्तः स तत्तुत्यो भवति अन्यस्तु विरुद्धत्त्वाद्विसदृश इति भावस्तदाह ।
तत्र तत्र प्रतीति । धनमित्यग्रिमेणास्यान्वयः । एवः कुतो लब्ध इत्यत आह । च शब्द इति ।
मूलवचनस्य इत्यथः। अत्र पक्षे पूर्वाधें एकस्यैव वाक्यार्थस्य सत्वेन वाक्यार्थद्वयामावेन समुचेयामा-१५
वात्तद्र्यकत्वासम्भवेन निपातानामनेकार्थत्वात् तद्र्यकत्विमिति भावः । योग्यतया धनशब्दार्थमाह । दण्डिमिति । इत्यनुवाद इति । ग्रङ्गग्राहिकया तत्तद्यवहारे दण्डस्य विशिष्य
विहितत्वेन प्राप्तत्वाद्विध्यसम्भवेन पूर्वाधेन तस्य सर्वस्य सामान्येनानुवाद इत्यर्थः । वैयर्थ्ये तु
अस्य न । तत्रैवोत्तरार्धेन विशेषस्य विधीयमानत्वादिति भावः । तदेव तथैवाह । अथेति ।

१ ख-तुश्चार्थे न्युक्तमे च वादिनश्चेत्यर्थः । तेन तत्तंग्रह । २ ख-तिसन् । ३ ख-तिसन् । ४ ख-तिसन् । ५ ख-तिसन् । ६ ख-अवस्थापनम् । ७ ख-न्यवस्थापितसुक्तन्या-यमन्यत्राप्यतिदिश्चति । ८ क-यद्वेति । ९ ख-एवं । १० क-तद्भवहारे ।

तत्समित्यसानुषङ्गेणानुवादमाह । प्रतीति । प्राग्वदाह । दण्डमिति । विधेयमाह । द्विगुण-मिति । द्विगुणदण्डसाप्राप्तत्वादिति भावः । पूर्ववदाह । अत्रापीति ॥ ११ ॥

### राह्द ब्लाये १२ श्लोकः

प्रागुक्तं प्रतिज्ञासायनं च तचेत्यादिना वक्तुमव्यवहितसङ्गत्यभावाद्यवहितसङ्गतिमाह । ततोऽपर्थीति । स्तेयपारुष्ययोगवादेश्च द्वन्द्वं कृत्वा पुनः साहसेन समाहारद्वन्द्वः । अत एवार्थमात्रानाह । साहस्रमित्यादि । विषेति । बहुत्रीहिः । प्राग्वदाह । वाग्दण्डेति । प्राग्वक्तत्वादाह । वक्ष्येति । तद्भावेऽन्यत्र बाधाभावादाह । दोग्ध्रीति । विनिगमनाविरहादाह । प्राणेति ।
प्रागुक्तिनिमत्तान्यनिमित्तकोऽत्र प्राणनाशो आह्यः । अत एव सामान्येनाह । द्वंद्वेकेति । विनिगमकाभावादाह । कुलेति । उभयत्र निमित्ते आह । चारित्रेति । विरुद्धभाषणं नार्थ इत्याह।
उत्तरमिति । प्राग्वदाह । अर्थाति । पूर्वान्वयीदं । स्मृत इत्यसार्थः । उक्त इति । अतोऽन्यथेत्यनेन नारदीयेनोक्त इत्यर्थः ॥ १२ ॥

# याज्ञवल्कीये १३।१४।१५ श्लोकाः

अथात्रिमोर्पयुक्तमाह । दुष्टित । हीनवादिप्रसङ्गारपूर्वत्रारम्भेऽवतरणे उक्तस्य तन्मात्रस्येत्यर्थः।
'स परिकीर्तित' इत्यन्तेनेति भावः । विशेषिजज्ञासायाः सामान्यज्ञानपूर्वकत्वात्पाठकमादार्थकमो
अवलीयानिति न्यायेन व्युत्कमेण व्याचष्टे । मनोवागिति । 'यद्धि मनसेति' श्रौतक्रमेण मनसः
पूर्वनिपातः । सर्वे वाक्यमिति न्यायेनोक्तिसामर्थ्येन चाह । स्वभावादेवेति । दोषस्वभावादेवेत्यर्थः । तेनाजन्मस्वभावनिरासस्तद्यावर्त्यमाह । न भयादीति । आदिना कोधादिपरिग्रहः ।
"भावे क्तिन्" इत्याह । विकारमिति । लिङ्थों न विवक्षित इत्याह । याति गच्छतीति।
गच्छति यातीत्यर्थः । अत एव स इत्युक्तम् । तस्यार्थमाह । असाविति । वा चार्थे । तथा
क् स्रोकेऽथवेत्यन्वयेनाथचेत्यर्थो बोध्यः । एकदेशसंग्रहाय तत्तात्पर्यार्थमाह । न क्वचिदिति।

नतु मनोवाक्कायकर्मिमिरित्युपदेशादेशान्तरिमत्यादिना व्युत्कमेण कर्मादिविकारप्रदर्शनमयुक्तं । न च सान्निध्याद्युत्कमेणैवान्वयोऽभिमतः । एतद्र्थमेव तथोक्तमिति वाच्यम् । तथोष्ठावित्यनेन कायविकारेण व्यवहितत्वात्तस्यैवान्ते उक्तः । अत एव व्याख्यात्रा यथावस्थितमेव व्याख्यातिमिति चेन्न । तदुदेशक्रमेणोत्तरोत्तरस्य पूर्वपूर्ववाच्यत्वेनान्त्यस्यात्यन्तस्थूलत्वेन स्थूल२५ तमप्रक्रमेण विकारदर्शने तात्पर्यात् । एवं सित तथोष्ठावित्यसापि वैवर्ण्यमेति चेत्त्यत्रेव वक्तव्यत्वेनान्ते भेदेन तदुक्तिस्तु तद्विकारस्य सार्वविकत्वेन प्राधान्यसूचनार्थेति बोध्यम् ।

पर्यन्तौ प्रान्तौ । योग्यतया आह । जिन्होति । इतीति । उभयमित्यर्थः । अत एव समु-चायकश्चो मूले । एवमप्रेऽपि बोध्यम् । तृतीयश्चः परीति (श्लो० १४) वाक्ये योज्यः । अविनिगमकत्वादाह । कृष्णेति । एतीत्यस्य त्याख्या गच्छतीति । वाक्यस्य वास्तवशोषणास-३० म्भवादाह । सगद्गदेति । अत एव स्खलदित्यन्यथा व्याच्छे । व्यत्यस्तमिति । पूर्वपरेति ।

१ ख-प्रतिज्ञानं च। २ क-अर्थमात्रमाह। ३ ख-स्पृतं इत्पर्थः। ४ ख-अर्थोपयु-क्तमाह। ५ ग-रित्युदेशादेशांतरं। ६ ख-चेत् यदत्रैव।

इदमुपलक्षणं देशादिविरुद्धस्यापि । असकृदुक्तौ तथात्विनरासायाह । बिहिति । भाषते भाषते च । वाक्चश्चरिति समाहारद्वंद्धः । तद्यंमाह । परोक्तामिति । प्रजाप्रकारभेदमाह । प्रतिवचनेत्यादि । अस्य खतो विकृतित्वाभावादाह । विकृतेर्वंलगमिति । तथा चारोपितं तत्विमिति न प्रागुक्तासङ्गतिः । उक्तहेतोरेवान्ते व्याचष्टे । तथिति । वैवर्ण्यादिवदित्यर्थः । अस्य वचनस्य तात्पर्यार्थे प्रतिपादयन् विशेषमाह । एतचेति । स्वाभाविकेति । जन्मस्वभावकृते- प्रत्यंः । विवेकस्य । मेदस्य । निमिक्तमिति । बहुव्रीहिः । एवमग्रेऽपि । अत्र हेतुं सूचयन् सदद्यन्तमिदं विशदयति । नहीति । लिङ्गात् । यितंकचिद्विकारात् । न परेति । तथा च तक्तत्संभावनामात्रप्रतिपादने तात्पर्यमस्य वचनस्य न प्रागुक्तवक्ष्यमाणदण्डादिप्रतिपादने । तद्रीत्या ईदशस्थलेऽपि तथाप्रसङ्गोऽन्यथा स्यादिति तिन्नवारणतात्पर्यक्रिपदं वचनम् । एवं च दुंष्टः संभावितदोष एवेत्येवं व्याख्येयिमिति बोध्यम् ॥ १३ ॥ १४ ॥ १५ ॥

### याज्ञवल्कीये १६ श्लोकः

अते एवाग्रे पुनः प्राग्वदेव सिवशेषमुक्तिमित्याह । किं चेति । साधकस्य सन्देहामावाद्यथाश्रुतार्थानुपपत्तेः प्रपन्नस्थले दोषामावस्य ''प्रपन्नं साधयन्नर्थ'' मित्यनेन वक्ष्यमाणत्वाक्तात्पर्यार्थमाह ।
अध्नैणेति । स्वतन्त्र इत्यस्य व्याख्या । साधनेति । लेख्यादीत्यर्थः । अतएव तत्र उपायमाह ।
आसंधादीति । आद्यपदोक्तं प्रासङ्गिकं नतु प्रकृतसंगतिमिति स्चियतुं भवतीति शेषेण भेदेन १५
व्याख्यायाप्रिमं द्वयं प्रकृतसङ्गतं सह व्याच्छे । यश्चेत्यादि । अप्रतिपन्नादौ दोषामावादाह । संप्रतीति । अर्थमिति शेषः । उभयत्र लिङार्थविवक्षया आह । पलायते इति । एवमग्रेऽपि ।
अभियोगं विना आह्वानासंभवादाह । आभियुक्त इति । अन्यत्र दोषामावादाह । सदसीति ।
तुर्यपादस्य सर्वत्र सम्बन्ध इत्याह । सो ऽपीति । द्विविधोऽपीत्यर्थः । अपिना आद्यः । अत
एवाह । स्मृत इति । उभयत्रेति भावः । सम्बध्यते इति । एते त्रयो न केवलं दुष्टा, अपि२०
तु प्रकृतार्थाद्पि हीना, दण्ड्याश्चेति समुदायार्थः ।

इद्मेव आद्यानुरोधेनाग्रेऽपि उभयोक्तिस्वारसेन विशदयित । अभीति । येदि हीनत्वमु-क्तदुष्टरूपं भवेत्तर्हि तदनुवृत्त्येव सिद्धे हीनपदोक्तिरनर्थिकाऽतस्तद्वदर्थाद्धीनत्वपरिज्ञानेत्यर्थः । मात्रेत्यनेन दण्डव्यवच्छेदः । एवेन दुष्टत्वव्यवच्छेदः । तथाच संभवत्येकरूप्ये वैरूप्यसा-न्याव्यत्वात् तदुत्तरमस्य कथनेन दुष्टसापि अनुषङ्गात्तसापि समुच्चयो बोध्यः ॥ १६ ॥

# याज्ञवल्कीये १७ श्लोकः

उत्तरसङ्गतिं व्यवहितेन कथयन् तदवतरणमाह । अथेति । द्वितीयः प्रत्यर्थीति र्श्रमनिरा-सायाह । भाषेति । तयोर्धुगपत्संभवसुपपादयति । तथेत्यादि प्राप्तावित्यन्तेन । देशान्तर-

१ ग—दृष्ट इति । २ ग—किचित्र दुष्टमात्रमपि तु हीनत्वाद्यपीत्याह । ३ ग—अधनेति । ४ ख—सोऽपीत्यादि सम्बध्यते इत्यन्तेन आवेस्मृत इत्यस्यानुक्तिरतु निष्फळत्वस्चनाय तं विनापि निर्वोहात् । ५ ग—यदिहीन इति मात्रमुच्यते तर्हि पूर्ववद्धीनत्वं संभावनामात्रं स्यात्सामाभूदित्यर्थः । मात्रपदेन वास्तवहीनत्वव्यवच्छेदः । ६ ग—भंगनि (मि?) तेन ।

मिति । कार्यवशात्सकुटुंब इत्यादिः । युगपदिति । दैववशात् । धर्मेति । धर्मस्थान-मित्यर्थः । तत्र । तयोर्मध्ये । किया । साधनम् ।

"षष्ठवन्तात्सार्वविमक्तिकस्तिस"रित्याह । उभयोरिति । सत्स् इत्यस्य व्याख्या संभव-त्विति । सामानाधिकरण्यभ्रमनिरासाय प्रतीकपूर्वकं पूर्ववादिन इत्यसार्थान्तरं निराकुर्वेन् व्या-पचछे । साक्षिण इति । न पुनरिति । तावताऽपि निर्णयासंभवादिति भावः । योग्यं शेष-माह । प्रष्टव्या इति । उत्तरार्घार्थमाह । यदात्विति । अन्यः । उक्तपूर्ववादिभिन्नः । अनेन । ब्राह्मणेन । असाध्येति । अनेनोत्तरेणाङ्गीकृत्य निराकृतत्वादिति भावः । अनुपङ्गादिनाऽऽह । साक्षीति । जीर्णोक्तव्याख्यानान्तरं खण्डयितुमुत्कर्षयति । इदमेचेति । यत्र द्वावि भाषावा-दिनौ तद्विषयतया खयं कृतमित्यर्थः । यनु उत्तरवशादेवार्थिप्रत्यर्थिभेदेनावेदनक्रमेण पूर्ववादिन उत्तरवादिनश्च साक्षिणः प्रथ्या इत्यसार्थ इति कश्चित् तत् खण्डयति । मिथ्योत्तरे इति । मिथ्याकिया पूर्ववादे इति प्रागुक्तत्वात् । कार्गीकौ त्विति । तत्रार्थादेव पूर्वपक्षनिगुसः संपन्न इत्याह । पूर्वेति । प्रतिज्ञातार्थेति । अर्ध्यत इत्यर्थः माध्यं, स यसासीत्यर्था साध्य-वान् । एवं च मिथ्योत्तरे पूर्ववादी साध्यवान् , कारणप्राङ्न्याययोम्तु उत्तरवाद्यव साध्यवानिति । यस साध्यवत्ता तस्यैव साधनोपन्यास इत्यभिषायकार्थस्य प्राक् तत्रेवोक्तत्वादिति भावः । अत्र १५ विरोधमपि सूचयन् ऋष्यन्तरसंवादोऽपि पूर्वव्याख्याने इत्याह । प्रचेति । एवेर्ने द्वितीयव्य-वच्छेदः । स्पष्टीकृतं । स्पष्टीकृतं च । मिथ्या । मिथ्योत्तरे । प्राङ्न्यायेति । पूर्वन्यायकरण-निश्चेयेत्वित्यर्थः । जयपत्रं । तत्प्रद्रीनम् । तथा च प्रतिवादिन्येव क्रियेति भावः । शुद्धप्रा-ङ्न्यायविषयमिद्मिति स्पष्टमेव । अर्थे । एकार्थविषये । पूर्वपक्ष इति । पूर्वत्रकाले प्रतिगृही-तमुपभुक्तं चेतीत्यर्थः । उक्तपूर्वपक्षो निरस्तो येन भवेदिति तद्प्यर्थः । अत एव न न्यूनता २० प्रकृतैकवाक्यता च । अत्रार्थे विवदतोरित्यनेन स्पष्टमेवेद्मुक्तम् । साधकान्तरमप्युक्तार्थे ध्वन-यन्नत एवाह । एतस्य चेति । पूर्वेति । प्रागुक्तार्थिप्रत्यर्थिविपयकेत्यर्थः । मर्वेत्यपपाठ इति केचित् । **सर्वेति** पाठे प्रागुक्तसर्वेत्यर्थः ॥ १७ ॥

### याज्ञवल्कीये १८ श्लोकः

व्यवहारेऽपरमिप विशेषं मूळकृदाह । अपि चेति । चेदर्थमाह । यदीति । विवादो न प्रसिद्ध इत्याह । व्यवेति । पारिभाषिकपणग्रहणे न्यूनतापत्तेराह । पणनिमिति । व्यवहर-रूणमित्यर्थः । स्रोक्तिसत्यतासूचनाय यथासम्भवद्रव्यदानाङ्गीकरणमिति यावत् । तन्नेत्यस्य व्यास्या तिस्मन्सेति । वक्ष्यमाणस्य विशेषविषयत्वादाह । पूर्वोक्तिमिति । प्रकृतार्थसमिति । निह्नवे भावित इत्यत्रोक्तमित्यर्थः । स्पणमित्यपपाठसूचनाय स्वपणमित्यस्यार्थः स्वद्धतं पण-मिति । अत एव योग्यतया शेषमाह । राज्ञे इति । प्राङ्विवाकादिरिति शेषः । न्यूनाधिकत्विनरासा-

१ स्व-सम्भवेषि । ग-संभेति । २ क-पाठः । ३ क-प्रतेन । ४ ख-व्यव-हारणम् ।

याह । विवादेति । राजेत्युपलक्षणमन्यस्यापि । इद्मुभयकृतसमपणविषयकमेवेति अमो न कार्यः । तत्रैव गमकाभावात् । किन्त्वन्यतरकृतो विषमश्चोभयकृतस्तद्विषयकमपीति । अनेन स्वपद्घिटिन्तेन सूचितमेव विशेषमाह । यत्र पुनिरत्यादि दाप्य इत्यन्तेन । पुनस्त्वर्थे । तत्रापीति । निमित्तसत्वादप्रवृत्तौ मानाभावाचिति भावः । दंडं । दंडमेव । अत एवाह । न पणिमिति । तत्र स्वपणस्यैवाभावादिति भावस्तदाह । सपणं चेतीति । परेति । अन्यतरस्येति भावः । ऐवे-५ नान्यकृतव्यवच्छेदः दण्डस्तु वर्ततएवेति भावः । चेत्त्स्यादिति सूचितं विशेषान्तरमाह । सपण इति ॥ १८ ॥

#### याज्ञवल्कीये १९ श्लोकः

व्यवहारे विशेषान्तरमाह मूलकृत् । किं चेति । न प्रसिद्धमत्र तिदत्याह । प्रमादेति । भूतार्था चिस्त्वित । नयेदिति । कार्यः । अन्तमिति शेषः । किचत्तथा पाठ एव । तस्यावश्य-१० कत्वमुत्तरार्थेन हेतुपरेण सशेषपूरणेन प्रतिपादयित । यस्मादिति । अनिमहितमिति । अधिप्रत्यर्थ्यन्यतरेणेति शेषः । 'हीयमानपापयोगाचे'ति करणतृतीयान्तात्तसिरित्याह । व्यवहारेणेति । असार्थे पूर्यति । साक्ष्यादिभिरिते । तथा च साक्ष्यादिभिः क्रियमाणेन व्यवहारेण तद्धीयते इत्यर्थः । ऐतेन भूतमिप वस्तुतत्वमिप साक्ष्यादिभिरनुपन्यस्तं सद्धवहारतो हीयते इत्यन्वय इति व्याख्यानमपास्तम् । अममूलकत्वात् । साकाङ्कृत्वादाह । तस्मादिति । अस्य १५ तात्पर्यार्थमाह । यथेति । तत्फलमाह । तथेति । निर्णय इति । यथार्थनिर्णय इत्यर्थः ।

अनेन स्चितं पक्षान्तरमाह । अथेति । पूर्वोक्तस मुख्यत्वादाह । इत्यनुकल्प इति । स्पर्धमस्येतोऽप्रतीतेरत्र मानं नारदमाह । यथोक्तमिति । भूतेति । मूतच्छले अनुसरित तच्छीलस्तत्वात् द्विप्रकार इत्यर्थः । " संयुक्तं प्रोति " । " युक्तं यत्प्रेति" " पाठान्तरं अत्रान्तकं प्रागुक्त्यनुरोधेनाह । तत्रेति । नन्वस्थापि मुख्यत्वं कुतो नात आह । साक्षीति । व्यभिचारेति । अयथार्थवादित्वसापीत्यर्थः ॥ १९ ॥

### याज्ञवल्कीये २० श्लोकः

तावन्मात्रसीदाहरणत्वात् पादत्रयसँकं सशेषमर्थमाह । नैकिमिति । नशब्देन समासः । अत एवाह अनेकिमिति । "िलिखित" मित्यस्य व्याख्या अभियुक्तिमिति । प्रतिज्ञाका-लेऽर्थिनाऽभियोगत्वेनाभिहितमित्यर्थः । "िनन्हुते" इत्यत्र कर्मत्वेनान्वयोऽस्य । अप्रे सर्व-२५ पदोक्तः सामान्येनोक्तेश्च स्वारसादाह । सर्वमेवेति । एकदेशेति सुप्सुपेति सप्तमीसमास इत्याह । एकदेशे इति । पूर्वोक्तार्थेकदेशहिरण्यविषये इत्यर्थः । सुवर्णस्याङ्गीकृतत्वादाह । रज्ञताद्यर्थ-मिति । अनितप्रसंगायाह । पूर्वेति । तुर्यपादार्थे सप्रतीकमाह । न ग्राह्य इति । निष्ठालब्धं पूर्वमित्यस्यार्थे भाषेति । तच्छ्वणस्य दुष्परिहरत्वादाह । न दापियतव्य इति । एवमंशद्व-येन प्रतिज्ञाकालेऽभिहित एवार्थो व्यवहारतः प्राप्य इत्यन्वयोऽनैभिहितो न प्राप्य इति ३०

१ क-ख-रांशे। २ ख-सपण। ३ ग-करण चेति। ४ ख-अत्र साधनं पूरयति। ग-अस्यार्थः। ५ ख-स्यातो। ६ ख-भूतच्छलैः। ७ ख-स्येति। क-यदिति। ८ ग-स्येनोदाहरण। ९ ख-नाभिहितो।

व्यतिरेकश्च दर्शितो, यतोऽतोऽन्वयव्यतिरेकाभ्यां भृतमप्यनुपन्यसं हीयते इत्येतत् दढीकृतमिति तदुदाहरणत्वमस्थेत्यर्थः ।

विशेषमाह । पतचिति । किं तु युक्तिसिद्धमपीति भावः । पर्यवसितमाह । पविमिति । उक्तप्रकारेणेत्यर्थः । तर्कापरेति । प्रत्ययो ज्ञानम् । तर्कज्ञानस्य नामान्तरं संभावनेति । एवं भव तर्कापरनामिका याःसंभावनाः, सैव यः प्रत्ययो ज्ञानं, तत्सहकृतानिह्नते इति योगिश्वर-वचनादित्यर्थः । एतदुक्तिफलमाह । एवं चेति । अस्य तदनुगृहीतत्वे चेत्यर्थः । तर्केति । तयोरन्वित्यर्थः ।

अत्र मानमाह । तथा चेति । उपसंहरतीत्यत्रान्वयः । न्यायाधीति । न्यायज्ञाने तर्क उपायस्तेन तर्केण न्यायमम्युद्ध निश्चित्य । ऊहते रूपम् । यस्मिन्विषये न्यायो योजनीयस्त
१० त्स्थानं गमयेदित्यर्थः । यद्वा यथास्थानं न्यूनातिरेकरिहतं यथा तथा गमयेदित्यर्थः । एवं सित तर्केणेव सिद्धे मूळवचनवैयर्थ्यं परिहर्तुं शङ्कते । न चैकेति । यथा भाषासमयेऽनिवेध पश्चाद्दिमिधीयमानोऽर्थो नादर्तव्यस्तथा एकदेशविभावितः सन्निप प्रत्यर्थी नादर्तव्य इति तावताऽिप न दाप्य इत्येव पादत्रयार्थोऽस्तु किमिति सर्वे दाप्य इत्यर्थ इति भावः । एकदेशिति । यत्र वचनं नास्ति तत्र तद्दृष्टान्तमूळस्तथैव तर्कः स्यादत्र तु वचनसत्वात्तथा तर्कासंभवेनेवमेव

१५ तर्कसंभवेन तदर्थतया वचनं सफळम् इति भावः ।

एवं निश्चितेऽर्थे प्रसक्तविरोधं परिहरित । यत्विति । योगेऽपीति । तेषां मध्ये इति शेषः । साक्षिमिरित्यस्य मध्यमणिन्यायेनान्वयः संभवात् । उपलक्षणं चैतद्न्यस्यापि । एवेना- धिकांशव्यवच्छेदः । असौ । धनी । पित्रेति । तत्कृतेत्यर्थः । अत्र हेतुमाह । तत्र हीति । न भवतीति । ऋणस्यान्यकृतत्वेनाज्ञानस्यापि तत्र संभवेनापलापाभावादिति भावः । इतिः २० हेतौ । किचित् कापि । अज्ञानसम्भवात् । तदेवाह । निन्हवेति । अत एव संशयाभावादाह । अपेक्षितेति । वचनं तु इदं कर्तृसामान्यविषयमुक्तकात्यायनवचनं तु विशेषशास्त्रस्य निह्नते इत्सस्य विषयम् । निह्नवोत्तरं ज्ञात्वाऽपलापो निन्हवस्तद्र्पमुत्तरं परिह्त्य परित्य-ज्याज्ञानोत्तरे ज्ञानाभावेनोत्तरे प्रवर्तते इत्यर्थः । तथा च सामान्यविशेषशास्त्रयोरनयोरुत्सर्गाप-वाद्व्यवस्थेति भावः ।

^{२५} विरोधांतरं परिहरित । निन्वति । ऋणादिषु । ऋणादानादिषु । स्थिरेति । लिंगदर्शनमात्रे-णाद्दहेतुनाऽपि स्त्रीसंग्रहणादिरूपसाध्यस्य सिद्धिभवतीति तादशानामस्थिरत्वम् , ऋणादाना-दिरूपस्य साध्यस्य तु द्दसाधनेनैव सिद्धेस्तेषां स्थिरत्वं, तृद्पि नाकाशवदिति स्थिरप्रायत्व-मित्यर्थः । निश्चितमिति । क्रियाविशेषणम् । योगे सतीति शेषः । साक्षीति । तेषां मध्ये इत्यादिः । एकेति । ऊने इत्यर्थः । प्रोक्ते इत्यसार्थों भाविते इति । अधिके इति । उक्त-६०सर्वापक्षेत्यादिः । सामान्योक्त्याँ साध्यमित्यस्य साध्यत्वाविञ्चन्नमित्यर्थस्तर्कालतमाह । सर्वमे-

१ ख-सद्भावनाज्ञानमिति । २ ख-नामको यः सद्भावप्रत्ययः । ३ ग-वेदित्वः । ४ क-द्यीयः मानो । ५ ग-तावदि । ६ ख-तथाचेद्रशस्थिरप्रायत्वं । नाकाशवदिति भावः । ७ क-सामान्वोक्तं ।

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वेति। तथा सित । सर्वसाध्यासिद्धत्वे सित । सिद्धिः । मूलतालर्यविषयीभृता । अभाविते-कदेशेति । एकदेशान्तरेत्यर्थः । लिखितेति । सुवर्णादित्रयं गृहीतिमित्यभियोगे कृते न मया गृहीतं मिथ्यैतदिति निन्हवे कृते सर्ववस्तुग्रहणसाधनतया किथतः साक्षिभः सुवर्णाद्यन्यत-तमग्रहणे सुवर्णादि धान्यं च गृहीतिमित्यधिकवस्तुग्रहणे वा निर्दिष्टे सर्वमिप साध्यं न सिध्य-तीत्येतत्परं कात्यायनवचनम् । निन्हुते इति वचनन्तु उक्तरीत्याऽभियोगे निन्हवे च कृते प्रसुवर्णग्रहणसाक्षिणः संतीत्युक्ते तैस्तावन्मोत्रेऽपि साक्षिभः साधिते प्रत्यर्थां सर्वे दाप्यः । पूर्वोक्तमित्येतत्परमिति न विरोधो मिथ इति मावः । तस्य कात्यायनवचनस्य । नन्वेवं तादृशे किं व्यवहारो नैवात आह । तत्रापीति । तदुक्तस्थलेऽपीत्यर्थः । नियमादिति । 'आ-रब्धसान्तगमन' मिति न्यायेन प्राप्तस्य तस्य विधानेन नियामकत्वं तस्येति भावः । स्थिर-प्रायेधिवत्यस्य प्रत्युदाहरणमाह । साहसादौत्विति । उद्दिष्टेः। किथतैः। उपिदृष्टैरिति पाठान्तरं। १० एवं साधिते ऋष्यन्तरसंवादमप्याह । कात्यायनेति । तदेव वचनमाह । साध्यार्थोशेऽपीति । स्रीसंग्रहादिके विवादपदत्रये भाषावादिना यद्धिरूपं साध्यत्वेन किथतं तत्तत्रानेकसाध्यसाधनत्याऽभिहितैः साक्षिभः साध्यार्थर्जेततस्यकदेशेऽपि साधिते सकत्यं भवेत् सिध्येदित्यर्थः । तथाचोक्तव्यवस्था निव्युदेति सिद्धम् ॥ २०॥

#### याज्ञवल्कीये २१ श्लोकः

वक्ष्यमाणश्लोकस्य तदाक्षेपनिवारकत्विमिति तमाक्षिपति । निन्वित । तत्र । तथा सित । अप्रामाण्यं । तदेव । एवव्यवच्छेद्यमेवाह । विषयेति । परस्परतः परस्परम् । परीति । अविरोधे
संभवित विरोधो न न्याय्य इति भावः । आदिना विकल्पपरिष्रहः । अत एव 'अप्रिमादिना तुल्यार्थोऽस्त्वि 'ति न्यायस्य 'सविषयनिर्विषययोर्निर्विषयं बलविदे'त्यस्य च परिष्रहः ।
उत्सर्गिति । 'सामान्यस्य विशेषो बाधक ' इत्येवं सामान्यापवादलक्षणो न्यायस्तन्नान्तरे प्रसिद्ध २०
इत्यर्थः । 'पञ्चम्यन्तात्सार्वविभक्तिकस्तसि ' रित्याह (व्या.स्. ५-३-७) । व्यवहारादिति ।
प्रकृतव्यवहारस्रमनिरासाय तदर्थमाह । वृद्धिति । तत्स्रस्पमाह । अन्वयेति । एतौ च साफल्यासाफल्याभ्यामुपपाद्यौ । समाधितात्पर्यार्थमाह । अतस्रोति । पवेनाप्रामाण्यव्यवच्छेदः । नेदं
प्रकृतमार्त्रविषयमि तु सार्वत्रिकमित्याह । एविमिति । आदिना प्रबलप्रमाणविरोधेऽर्थवादत्वमाश्रित्य यथोचितन्यायानुसारेण योज्यमिति परिगृह्यते ।

एवम्। उक्तप्रकारसः । धर्मशास्त्रेति । एकविषययोर्विरुद्धार्थयोर्हि स्मृत्योर्मियो विरोधो न तु भिन्नविषययोरिवरुद्धार्थयोर्व । सित च विरोधे प्रवलदुर्वलभावचिन्ता । एवं च पूर्वमेव धर्मशास्त्रानुसारेणैव व्यवहारदर्शनसः विहितत्वादौशनसादिनीतिशास्त्रसः न व्यवहारिवषये प्रवृत्तिरत एकविषयत्वाभावादर्थशास्त्रधर्मशास्त्रयोः सुतरां विरोधाभावादनयोः प्रवलदुर्वलभावचिन्तनमेव तावद्युक्तमिति शङ्काशयः । नात्रौशनसाद्यर्थशास्त्रधर्मशास्त्रयोस्तिक्तां तु धर्मशास्त्रान्तर्गतयोरेव ३०

१ ग-साधनताया । २ क - यदेकार्थरूप । ख-यदनेकार्थ । ३ ख-सकलसाध्य । ४ ख-

तैयोस्तिन्तेति एकविषयतया विरोधसंभवात्ति चिन्तनं युक्तमित्युत्तराशयः। अर्थार्थमाह। अर्थेति। अत एवाह । स्मृत्योरिति । स्थितिरित्यस्य व्याख्या मर्यादेति । यद्यपीति । ईदशार्थ- शास्त्रधर्मशास्त्रयोर्मन्वादिरूपैककर्तृनिष्पन्नत्वेन वचनस्र रूपगतेविशेषाभावादनयोरिप न तिचन्तनं युक्तमिति भावः । प्रमेयस्येति । न तिद्विशेषात्तिचन्ताऽपि तु धर्मशास्त्रप्रमेयस्य षङ्गिस्सापि पर्धमस्य मुख्यतया प्रधानत्वादर्थशास्त्रप्रमेयसार्थस्य नीतिलक्षणसामुख्यतयोपसर्जनत्वाद्यमेयगत- विशेषसंभवात्तिचन्ता युक्तवेति भावः । हेत्वसिद्धिं परिहरित । धर्मस्य चेति । शास्त्राद्या । आचाराध्यायसादौ । वचनार्थमुपसंहरित तस्मादिति ।

उदाहरणाभावप्रयुक्तं तिचन्तनवैफल्यं परिहर्तु शङ्कते । किमत्रोदाहरणामिति । अन्योक्तिस्वाहरणमन् खण्डयित । न ताविद्यादि युक्तमित्यन्तेन । अत्र इति न तावदादौ १० उदाहरणं युक्तमिति व्यविदेतान्वयः । अदोषत्वे हेतुमाह । प्रच्छन्नामिति । यतो मन्युरेव प्रकाशमप्रकाशं वा तं मन्युं हिनस्तीत्यर्थः । तथा च मन्योरेव कर्तृत्वादिना हन्तृत्वादिति न दोष इति भावः । अत एव ' मन्युरकार्षीदि'ति श्रुतिः सङ्गच्छते । मनुमुक्त्वा स्मृत्यन्तरमाह । तथिति । वेदान्तगमपीत्यर्थः । अपि वेदान्तपारगमिति पाठान्तरम् । तेन । तादशबाह्यणवधेन । मनुमेवाह । इयमिति । अकामतो द्विजं हिंसित्वा स्थितस्थेयं पूर्वतना विशुद्धिः भिक्तित्यर्थः । तत्र अनुदर्हिरणत्वे हेतुमाह । अनयोरिति यत इत्यादिः । "गुरुं वा" इत्यादेरर्थवादत्वेन स्वार्थे प्रामाण्याभावादेकविषयत्वाभावेन विरोधाभावात्तिचन्ताया असम्भवेन नोदाहरणत्वमित्यर्थः ।

तदेवाह । तथाहीत्यादि । शास्त्रमिति। मन् क्तिरेवेयम् । इत्युक्तांमिति पाठे इतः पूर्वमिति शेषः । इत्युक्तेवित पाठे तु न शेषोपयोगः । उपक्रम्येति—" द्विजातीनां च वर्णानां विष्ठवे व कालकारिते " इति मध्ये उक्तम् । इति इत्यनेन । अस व्याख्यानमाह । आतमरक्षणे इति । बहुवचनादाद्यर्थलाम इत्याह । दक्षिणादीनामिति । अत एव सामान्येनार्थमाह । यक्षोपेति। "परित्राणे " इत्यस्य मध्यमणिन्यायेन अन्वय इत्याह । रक्षणे इति "संगरे" इत्यस्यार्थमाह । युद्धे चेति तस्याग्रेऽन्वयो सूचितः । एवं प्रागपि स्त्रीविष्ठेत्याद्यर्थमाह । स्त्रीति । धर्मणेत्यसार्थः । अक्ट्रेति । न दुष्यतीत्यस्य न पापामावपरत्वमित्याह । न दण्डेति । इतीति । इत्यर्थकमुक्त्वेत्यर्थः । अक्ट्रेति । न दुष्यतीत्यस्य न पापामावपरत्वमित्याह । न दण्डेति । इतीति । तथा च केमुतिकन्यायेन गुर्वादिमिन्नानामीदशस्यले हननं प्रशस्त्रमिति स्त्यते । अतः स्तावकत्वेनार्थवादकत्वमिति भावः । नन्वेतद्धवीदिहनविधायकमेवास्तु तदसंभवे एव तत्त्वाङ्गीकारात् अत एवाह । वा शब्देति । स्यत्यन्तरेऽप्येवमित्याह । अपि वेदान्तगमिति । अयं भावः । यथा लोकेऽत्र पिशाचोऽस्तीत्युक्ते पिशाचो वा भवतु राक्षसो वा भवतु भूतमि भवतु प्रेतोऽपि भवत्वित्युक्तरे प्रौदिप्रतिपादने तात्पर्य, रवाऽत्रापि वाशब्दापिशब्दयोः प्रौदिप्रकर्षे तात्पर्यमिति तद्विशिष्टवाक्यजातस्य गुर्वादिहनने न तात्पर्यम्; तथा वेदेऽपि "वायुर्वे क्षिपष्ठा देवते"ति, "प्रतितिष्ठन्ति ह वा यएताः,"

१ ख-ग-गतयोरेवानयो । २ ग-कृत । ३ ख-हेत्वादेरिति । ४ ग-इंत्रादेरिति । ५ ख-शास्त्रमिति । ६ ख-ग-इदमर्थ । ७ ख-विषायकमेव ।

"तसादिष वध्यं प्रपन्नं न ", इत्यादौ वैशब्दवाशब्दापिशब्दादीनां विधिशक्तिप्रतिबन्धकत्वस दर्शनात्प्रकृतेऽपि वाऽपिशब्दाभ्यां तिद्विधिशक्तेः प्रतिबद्धकत्वान्न गुर्वादिहननविधिः । वस्तु-तस्तु अपि वेदान्तगिमत्यादौ संभावनाविषयतया कियागतमौचित्यमपि द्योत्यम् । संभावितौ-चित्यस चानुष्ठानमयुक्तमिति खार्थे तात्पर्याभावः । स्पष्टं चेदं मंजूषायामिति बोध्यम् । अतश्च गुर्वादिविषये एकत्र गुरुं वेत्यादिवचनजातेन हननविधेस्तिन्निमत्तप्रायश्चित्तविधिरियं प्विशुद्धिरित्यनेनाप्राप्तत्वादनयोरेकविषयत्वाभावान्मिश्रो विरोधाभावात्कथं तदुदाहरणिमिति ।

वचनसिद्धोऽप्ययमर्थ इत्याह । नाततायीति आचार्यं चेति च । आभ्यां हि ब्राह्मणाचार्यादिभिन्नानामेवाततायिनां वधे दोषाभावप्रतिपादनादाततायिनामपि गुर्वादीनां न वध्यत्वमिति भावः । ननु "आचार्यं चे "ित मनुवाक्ये आचार्याद्युपादानं प्रदर्शनमात्रतात्पर्यकम् ।
तथा च हिंसामात्रनिषेधे तात्पर्यादस्य वचनस्य नाततायिनामाचार्यादीनां विधिनिषेधपरत्वं येन १०
गुरुमित्यस्यतद्वचनिरोधः सादत आह । आचार्यादीनामिति । हिंसेति । विशेषेण
हिंसानिषेधेनत्यर्थः । अन्यथा तेषामुपादानमफल्लेव सादिति भावः । इदम् । आचार्यं चेत्येतत् ।
हिंसोति । हिंसामात्रनिषेधस्यत्यर्थः । तत्सामान्यनिषेधस्यति यावत् । सामान्यति । न हिंसादित्यादिवचनेनैवेत्यर्थः । तथा च तत्सामान्यनिषेधस्य सामान्यवचनेनैव सिद्धत्वादस्मिन्वचने
आचार्याद्यक्तेः स्वार्थाविवक्षाकारणाभावाद्धिसाविशेषनिषेधेनैवेतद्वचनं सफल्म् । सामान्यनिषेध-१५
परत्वे तु वचनान्तरेणैव तिन्नेषेधस्य प्राप्तत्वात्युनरुक्तेर्निष्फल्तवं स्वात् इति भावः ।

नन्वेवमाचार्ये चेत्यनेनाततायिनामप्याचार्यादीनां हिंसानिषेधप्रतिपादनान्नाततायिवधे दोष इत्यनेन तु आततायिहिंसाया दोषाभावप्रतिपादनेन तेषां वध्यत्वप्रतीतेरनयोर्वचनयोर्मिथो विरोधापित्तिरेवात आह । नाततायीति । तथा च भिन्नविषयत्वेनाविरोध इति भावः । तदन्य-विषयत्वमेव द्रढयन् तत्र हेतुमाह । यत इति । सामान्येनाततायिनो दर्शिता इत्यत्रान्वयः । २० मान्स्ये तु अधिका अपि आततायिन उक्ताः—

*"गुरुं वा तापसं वाऽिप ब्राह्मणं वा बहुश्रुतम् । आततायिनमायान्तं हन्यादेवाविचारयन् ॥ नाततायिवधे दोषो हन्तुर्भवित कश्चन । प्रकाशं वाऽप्रकाशं वा मन्युस्तं मन्युमृच्छिति ॥ गृहक्षेत्रामिहन्तारस्तथा पत्थिमगामिनः । अग्निदो गरदश्चेव तथैवाभ्युचतायुधः ॥ अभिचाराणि कुर्वाणो राजगामि च पैशुनम् । एते हि कथिता लोके धर्मज्ञैराततायिनः ॥ "

इति

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स्मृत्यन्तरमाह । तथेति । असिविषामीनां द्वन्द्वं कृत्वोद्यतशब्देन बहुवीहिः । " शापोद्यते " ३० त्यत्र बहुवीहिद्वयम् । आद्ये आहितास्यादित्वात्परनिपातः । आथर्वणेन तद्वेदप्रतिपादिताभि-

१ ख-मथाचार्यादीनां । * एतदवतरणं । ख पुस्तकेऽनुपलभ्यं । २ ग-पलाभिगामिनः ।

चारिककर्मणा । पिशुनः सूचकः । दिश्वाता इति । अत्र सामान्येनैवाततायिनां प्रदर्शनात्त-त्रापि नाततायीति सामान्यपदेनैवोक्छेखान्नाततायीत्यादि सामान्यशास्त्रम् आचार्ये चेत्यादिविशेष-शास्त्रस्य विषयं ब्राह्मणादिकं परिहृत्यान्यत्र प्रवर्तते इति भावः ।

ननु एवं सिद्धे आततायिनां ब्राह्मणादीनामवध्यत्वे सित प्रमादाद्यदि तेषां हननं स्थात्तदा "तस्य प्रामादिकत्वािकं हन्तुर्दोषामाव एवेतिचेन्नेत्याह । अतस्येति । यदि विपचेरन् मृत्युं प्रामुद्धः । तस्मात् तदुदाहरणासंभवात् । स्वाभिमतमुदाहरणमाह । तदुच्यते इति । हिर-ण्येति । अभ्यिहितत्वात्पूर्वनिपातः । प्रागुक्तमौठमाह । धर्मशास्त्रोति । चतुष्पादिति । तस्य तत्वं च प्रागेव प्रतिपादितम् । विषयेति । न भवतीत्यर्थः । अत्र मानमाह । अत प्रचेति यतो धर्मशास्त्रं प्रबठमस्मादेव हेतोरित्यर्थः । दर्शितमित्यत्रान्वयः । धर्मेति । धर्मार्थयोः गः सिन्नपाते एकत्र तच्छास्रयोः प्रसङ्गेऽर्थशास्त्रमाहिण इत्यर्थः । अन्यथा तदसंगतिः स्पष्टैवेति भावः । गुरुत्वमेव दर्शयति । प्रतदिति । इति इत्यनेन पूर्वे तस्येव प्रकान्तत्वादिति भावः ॥ २१ ॥

### याज्ञवल्कीये २२ श्लोकः

अव्यवहितेन सङ्गत्यभावाद्यवहितेन सङ्गितमाह । ततोऽर्थाति । अपेक्षितः आका१५ ह्वितः । प्रमितिव्यवच्छेदाय साधनपरत्वाय चाह । प्रमीयते इति । साक्षात्प्रमाजनकत्वाभावात् । दाप्यः सर्वमिति विषये वस्तुनोऽन्यथात्वे परम्परयाऽपि तदभावादाह । परीति ।
अमप्रमासाधारणनिश्चयः परिच्छेदः । कीर्तितमित्यत्र शेषमाह । महर्षिभिरिति । पूर्वीत्तरतदुत्त्यवुरोधेनात्रावुक्तमप्याह । तत्रेति । तेषां त्रयाणां मध्ये इत्यर्थः । उक्तेति । पूर्वीध्यायान्ते—" दत्वा भूमिं निबन्धं वा कृत्वा ठेख्यं तु कारयेत् " (क्षो० ३१८) इत्यादिना इति
२०भावः । वक्ष्यमाणेति अत्रैवाध्याये ठेख्यप्रकरणे (प्र०६ स्रो० ८४) " यःकश्चिदि "
त्यादिना इति भावः । भोजनस्य साधनस्य च व्यवच्छेदायाह । उपभोग इति । वक्ष्यमाणस्वरूपेति । खरूपं च प्रकारश्च तौ वक्ष्यमाणौ खरूपप्रकारौ येषामित्यर्थः । तत्र प्रकारो भेदः
दृष्टसाक्षिणः श्रुतसाक्षिणः इत्येवमादिः ।

नतु प्रत्यक्षाद्यष्टप्रमाणान्तर्गतमेव प्रमाणं नान्यदिति द्वयोः कथंचित्तत्वसंभवेऽपि भुक्तेने व्यत्तर्तर्भावः इति कथं तत्विमत्यारायेनाह । निन्विति । लिप्यादिर्नशब्दः स च नित्य इत्याश्येनाह । शब्दाभिव्यक्तीति । लिपेः स्फोटव्यंजकवत्साक्षिणां ध्वनिद्वारा तदिभिव्यंजकत्वात्स्वरूप्तत्तेषामतत्त्वेऽपि तत्वात्तत्विमिति भावः । तस्या अपि तदन्तर्भावमाह । भुक्तिरिति । प्रमाणमेवेत्यन्वयः । केश्चिदिति । आसेघरहितादिविशेषणैरित्यर्थः । अव्यभिचारादिति । अनेनानुमितिसामग्री उक्ता । यथासंख्यमत्रान्वयः । कर्रुपयंतीति । शत्रन्तप्रकृतिकम् । ३० क्षेत्रादिकं अस्य क्रयादिप्राप्तम् आसेघरहितत्वे सति चिरकालोपभुक्तत्वात् तदीयग्रहादिवत्

इत्यनुमानप्रयोगः । तादशी भुक्तिः स्ततोऽनुपपद्यमाना तादृशं तत् कल्पयतीत्यर्थापत्तिर्वोध्या । एवं क्रयादौ सिद्धे स्वामी रिक्थेत्यादिवचनोपात्तीर्नियतकारकहेतुमिः स्वस्तवं सिद्धं भवति ।

उत्तरार्धार्थमाह । एषामिति । मध्ये इति शेषः । अप्यर्थान्तर्भावेण समास इत्याह । अन्यतमस्याप्यभावे इति । अपिनोभयोदिसमुच्यः । वक्ष्येति । प्राग्वत् । तेषां तत्वं न
पेच्छिकं किंतु व्यवस्थितिमत्याह । जातीति । प्रमाणमित्यस्थानेनापिसंबंध इत्याह । प्रमाण-५
मिति । उक्तरीत्या महर्षिभिरिति शेषः । मानुषप्रमाणाभावमात्रे दिव्यावसर इति यथाश्रुतप्रतीयमानो न तद्धः, किंतु तदभावनिर्णये सत्येव तद्वर इतीत्याह । मानुषेति । अत्र गमकमिद्मेवोपस्थितमाह । अस्मादिति । अन्यथा एषामन्यतमाभावे इत्यस्थानर्थक्यं स्पष्टमेव ।
प्राह्यमिति शेषः । केन प्रामाण्यमित्यनेनावगम्यते इत्यनेन चास्येवार्थस्थामिमतत्वात् । ननु यथाश्रुतार्थबोधकमेवेदं वचनमिति न व्यर्थमतस्तत्र हेतुमाह । दिव्यस्येति । दृष्टे सत्यदृष्टाश्रयण-१०
स्थान्याय्यत्वात् । दिव्यस्य तयोः शास्त्रेकगम्यत्वेनाठौकिकत्वेनादृष्टत्वात्त्रथा सत्यानर्थक्यादिति
भावः । एतत्फलमाह । अतश्चेति । स्पष्टोऽर्थः । कियामित्यस्थोग्रेऽवलम्बते इत्यस्य पूर्वत्रानुषङ्गः ।

ननु यत्र सर्वसाध्यसाधकं क्रियाद्वयं तत्र भवतु मानुष्येव प्राह्मेति । यत्र त्वेकदेश्रमाधनभूता मानुषी, सर्वसाधनभूता दैवी तत्र का प्राह्मेत्यत आह । यत्रापीति । न देविमिति ।
उक्तहेतोरेवेति भावः । उदाहरति । यथेति । इत्यभियोगेति । इति योऽभियोगस्तसापन्हवे १९
परेण कृते सतीत्वर्थः । प्रहणे इति । मूलभूतं द्रव्यं प्रधानं तस्यैकदेशो प्रहणं संख्या दृद्धिश्च
अभिमतदृद्धिकरूपकशतप्रहणं प्रधानं वा । इत्युक्ते । स्थलविशेषे । पूर्वान्वयीदम् । नन्वेवं
कथं सर्वसाध्यसिद्धिरत आह । तत्रकिति । तद्विषयत्वादाह । न्यायेनेति । तद्रीत्येत्वर्थः ।
अपिर्दिव्यसमुचये । संख्योति । संख्यादृद्धिविशेषयोः सिद्धेरित्वर्थः । व्याप्ता । तन्मात्रसाधिका । सर्वसाधिका प्राह्मेति किमु वक्तव्यमित्यपेरर्थः । सा सैव । अत एवाह । न त्विति । १०
वदतां वादिनां मध्ये कस्यचित् इत्यर्थः । देवी विवदतामिति पाठान्तरम् ।

एवं स्थित कात्यायनिवरोधं परिहरित । यित्वित । गूढेित । कर्मधारयान्मत्वर्थीयः । चस्त्वर्थेवित्येव पाठान्तरं । प्राप्तम् । योग्यम् । मानुषासम्भवे एवेति । मानुषास-म्भवकृतिनयमार्थमिति पाठान्तरम् । नियमश्च परीक्षणसादृष्टार्थः । प्राग्वदाह । यद्पीति । साहसे । तदाख्ये विवादे । मानुषासम्भवात्तस्य चत्वार्यधिकरणान्युक्तानि । अरण्ये इति । स्माहसे । तदाख्ये विवादे । मानुषासम्भवात्तस्य चत्वार्यधिकरणान्युक्तानि । अरण्ये इति । स्माहिति । अस्य । उक्तस्यौत्सर्गिक-सार्थस्य । प्रक्रान्ते इति । अस्य सर्वत्रान्वयः । अत्र साक्षिदिव्ययोर्विकल्पविधानात्तुस्या-र्थानोमेव विकल्पात्तदपवादत्वम् । कात्यायनोक्तिरियमिष । एवमग्रेऽपि त्रिषु ।

प्रसङ्गात् म्लानुक्तमन्यद्पि किंचित्सिद्धान्तभूतमाह । तथेति । आदिना भुक्तिसाक्षिणोः परिग्रहः । एवं च तत्राप्यैच्छिकत्वं नेति भावः । तत्रादौ लेख्यसाह । यथेति । पूगादेरर्थः ३० स्फुटीभविष्यति । स्थितिर्भर्यादा । तस्याः । स्थितेः ।

१ ख-वचनोपपत्ते । २ क-अपिना भयादि । ३ ख-यातीति । ग-शातीति । ४ ख ग-स्यात्रापि । ५ ख-सर्वसाधकं । ६ ख-साधक ।

भुक्तेराह । तथेति । क्रियाशब्दस्य द्वंद्वान्ते श्रूयमाणस्य प्रत्येकं संबंधः । क्रिया करणम्, । आभोगः परिणाहः । तेन च परिणाह्वदङ्गणादिकं लक्ष्यते । अर्शआद्यज्वा । जलवाहो । जलनिर्गममार्गः । आदिना गेहादिपरिमार्जितरजःपुञ्जप्रक्षेपस्थानावकरादिग्रहणम् । अत्र द्वन्द्वोत्तरपदकद्वन्द्वघटितबहुत्रीहिः ।

भ साक्षिणामाह । *तथादत्तीत । बहुवचनान्तयोर्द्धेद्धः । दत्तादत्तं विद्येते येषु । दत्ताप्रदा-नाख्यविवादपदेषु । दत्ते चेति, दत्तेऽथेति वा पाठान्तरं । स्वामिभृत्यनिर्णयाख्ये तत्र । विक-येत्यधेनैकं विक्रीयासंप्रदानाख्ये तत्र । धनं मूखं । दातुमिति शेषः । तत्र यस्तत्सम्बंधस्तत्रे-त्यर्थः ।

बूते समाव्हयाख्ये च तत्र । समुपिस्थते प्राप्ते । एतानि च विवादपदान्यमे स्फुटीभ- १९ विष्यन्ति ॥ २२ ॥

#### याज्ञवल्कीये २३ श्लोकः

उभेति । वादिप्रतिवाद्युक्तयोः । बलाबलेति । प्रागुक्ते इत्पर्थः । कार्ययोः । साध्ययोः । करणरूपार्थनिरासायाह । कियते इति । तात्पर्यार्थमाह । उत्तरेति । प्रमाणेनेति भावः । सिद्धे प्रपीति । पूर्वप्रमाणेनेति भावः । अस्य लक्ष्यान्तरमाह । तयेति । द्वे द्वद्विर्यस्य तत् १५ द्विकं । तदस्मिन्निति कन् । निष्कशतस्य प्रतिमासं निष्कद्वयं द्वद्विरित्येवं प्रथमं गृहीत्वा, कालान्तरे तद्वातुमसमर्थस्य स्वकार्यवशात्तस्यैव निष्कशतस्य निष्कश्चर्यं द्वद्विरित्येवं प्रथमं गृहीत्वा, कालान्तरे तद्वातुमसमर्थस्य स्वकार्यवशात्तस्यैव निष्कशतस्य निष्कश्चर्यं द्वद्विरित्यङ्गीकारे तद्वं परं बलवत् । विरोधेनोत्तरसंख्यायाः पूर्वसंख्याबाधकत्वेन पूर्वसंख्याया अप्रसरादित्यर्थः । नतु व्याकरणे सिति विरोधे परस्य पूर्वबाधकत्वं विप्रतिषधशास्त्रमूलकं दृष्टम्, "अणुदित्सूत्रे" (व्या० सू० १-१-६९-) च भाष्ये उक्तं गौणी मुख्या चोत्तरा संख्या पूर्वी संख्या २० बाधते इति, तद्वदत्र किं मूलम् । अतस्तन्यायेनेवोभयत्र बीजमाह । पश्चादिति । किं तु तद्वाधेनेव परस्रोत्पत्तिरित्यर्थः ।

एकस्य निकटे । एवमग्रेऽपि । प्रागुक्तहेतोरत्रासत्वमत्र हेतोः सत्वं च सूचयन्नाह । निन्वत्यादिना । पूर्वेसत्वादेराह । तदानीमिति । न्यायेति । बहुव्रीहिः षष्ठीतत्पुरुषो वा । एकत्राहितादेरन्यत्राधानकरणादौ स्वत्वमेव नास्तीत्ययमेव न्यायः । तित्सद्धार्थ एव स्फुटत्वायापक्त्राहितादेरन्यत्राधानकरणादौ स्वत्वमेव नास्तीत्ययमेव न्यायः । तित्सद्धार्थ एव स्फुटत्वायापक्त्राहितादेरन्यत्राधानकरणादौ स्वत्वमेव नास्तित्ययमेव न्यायः । तित्सद्धार्थ एव स्फुटत्वायापक्तिऽनेन । यद्वाऽनेन तथाऽर्थे बोधिते तद्वलात्तस्य पुनस्तत्र स्वत्वाभावादिति स न्यायो निष्पन्न
इति उभयथाऽपि प्रकृतोक्तिर्निर्वाधैवेति भावः ॥ २३ ॥

## याज्ञवल्कीये २४ श्लोकः

भुक्तेः प्रागुक्तप्रमाणान्तर्गतायाः । कैश्चिदिति । आसेघरहितत्वचिरकालत्वादिविशेषणै-र्युक्ताया इत्यर्थः । कार्यान्तरमिति । पूर्वत्र कियाशब्दस्य कार्यपरत्वस्रोक्तत्वेन तदुभया-३° न्यतरसाध्यसिद्धिरूपकार्यातिरिक्तकार्यमित्यर्थः । अनेन व्यवहिताव्यवहितसङ्गतिरुक्ता । एक-

१ ग-प्रमाजित । २ ख-दत्तादत्तेषु । ग-दत्तादत्तेषु विद्यते येषु । ३ ख-प्रमाणान्तरेणेति । ४ ख-पूर्वंत्रस्वलादे । ग-पूर्वं सत्वादे ।

^{*} दत्तादत्तेऽथ इति मिताक्षरापाठः ।

देशिमतेन व्याचष्टे । परेणोति । सम्बन्धे सित दानकयादिरूपे परत्वसैवाभावादाह । असम्बन्धेनेति । बहुव्रीहिः । असम्बद्धेनेति पाठान्तरम् । कार्याकाङ्कायां प्रत्यासत्तेराह । अजुन्यमानां भुविमिति । पश्यत इति । वादिन इत्यर्थः । अबुन्त इति छेदेनाह । अबुन्त इति । तत्र कर्माकाङ्काशान्तये तद्धमाह । मदीयेयमिति । षष्ठीयं तस्या इति । तत्सम्ब-धिन्याः । परेण भुज्यमानाया इत्यर्थः । स्पष्टत्वाय पुनराह । अप्रतीति । स्पष्टत्वायोक्तसिहतं । विश्वतीत्यसार्थमाह । अप्रतिरविमिति । अशब्दं यथा तथेत्यर्थः । समस्तपाठो युक्त एव । विश्वतिवर्षशब्दस्तदुपभोगे ठाक्षणिकः । कृतठब्धेत्यर्थे काठाठुञ् । वर्षसामविष्यतीत्युक्तरपदवृद्धि-रवमग्रेऽपि । तत्फिठितमाह । भोगनिमित्तेति ।

अनुपपत्तौ हेतुमाह । नहीत्यादिना । अप्रतिषेधात्स्वामिनः स्वत्वानवगममुक्त्वा तावत्पर्यन्तं ताहरोपभोगेन स्वत्वानुत्पत्तिमाह । नापाति । स्वत्वमिति । उत्पद्यते इति शेषः । अत्र हेतु-१० माह । उपभोगस्य स्वत्वे प्रमाणत्वादिति । तस्य स्वत्विषयप्रमितिजनकत्वादित्यर्थः । कचित्त्समस्तपाठः । यथा धूमस्य पर्वतादाविष्णज्ञापकत्वं न तदुत्पादकत्वं तथोपभोगसापि स्वप्रमेयभूतस्वत्वज्ञापकत्वं नोत्पादकत्वमतो न तत्तस्तदुत्पत्तिरिति भावस्तदाह । प्रमाणिति । नन्पभोगस्य न तत्प्रमाणत्वं मानाभावात् किं तृत्पादकत्वमेवात आह । रिक्थेति । तत्र तस्यापाठान्न तस्य तत्त्वमित्यर्थः । तत्र पाठमेव दर्शयति । तथाहीति । गौतमवाक्यमाह । १५ स्वामीति । रिक्थादिषु पंचमु सत्सु स्वामी भवतीति । सर्वसाधारणस्वत्वकारकहेतुपरिगणनम् । अप्रतिबन्धो दायो रिक्थम् । सप्रतिबन्धो दायः संविभागः । कयः प्रसिद्धः । अरण्यादिष्व-नन्यपरिगृहीततृणकाष्ठादिस्वीकरणं परिग्रहः । निध्यादिप्राप्तिः अधिगमः । असाधारणकारक हेत्न्वह । ब्राह्मेत्यादिना । ब्राह्मणस्य प्रतिग्रहादिना यञ्जब्धं तद्धिकमसाधारणमित्यर्थः । वैश्यस भोगरूपेण मृतिरूपेण वा यञ्जब्धं, शूद्रस्य द्विजञ्चश्रूषादिना मृतिरूपेण यञ्जब्धं, तद्धिक-र्यसाधारणं स्वत्वजनकम् । निर्वेशो मृति भोगयोरित्यमरः । (३-३-२१४)

ननु एवमपि पश्यत इति वचनमेव तादृशोपभोगस स्वत्वहेतुविधायकमस्तु इत्याशयेन शङ्कते । न चेदिमिति । आपित्तः प्राप्तः । तत्र हेतुमाह । स्वत्वस्येति । एकशब्दो मात्रार्थः । विधरत्यन्ताप्राप्तप्रापणस्वमावत्वेन लोकप्रसिद्धार्थे प्रवृत्यभावादिति भावः । एतचेति । तस्य तेषां च लोकसिद्धत्वमित्येतदित्यर्थः । नन्वेवमुक्तगौतमवाक्यस्य का गतिरत आह । १५ गौतमेति । शास्त्रपरिगणितैरेव हेतुभिः स्वत्वमुत्पाद्यं नापरिगणितैरिप चौर्यादिभिरिति नियमोऽ- दृष्टायेति नियमार्थे न तु स्वत्वादिशास्त्रमात्रसमधिगम्यमित्येवमर्थमित्यर्थः । यद्वा तैः स्वत्वमेव नास्तत्वमिति तथा नियमः ।

स्मृतिविरोधरूपं दोषमप्याह । अपि चेति । द्वौ ब्राह्मणावितिवत् बहूनीति प्रयोगः । विरुध्यते इति । अनागमोपभोगेन स्वत्वोत्पत्तानुपभोक्तुर्दण्डविधानमनुपपन्नम् । विहितस्तु दण्डः । १० अत एतद्वचनिवरोधादिप न स्वत्वं ताहशोपभोगादुत्पयते इत्यर्थः । ननु सित विरोधे ताहशोपभोगात्स्वत्वानुत्पत्तिः स एव नेत्याशयेनाह । न चेति । स्वाम्यसमक्षं बहुकालोपभोगेऽपि स्वत्वानुत्पादादुपभोक्ता चोरवहण्ड्य इति तद्र्थः । पश्यत इति । स्वामिनः समक्षमनासेधो- पभोगे विंशतिवर्षादृध्वें तद्धानिर्भवतीति उपभोगादुपभोक्तः खत्वमुत्पद्यते इति तद्धः। एवं च परोक्षत्वापरोक्षत्वरूपविशेषपरत्वेन न मिथो विरोधो येन तद्भावः सादिति भावः। प्रतिज्ञा-मात्रेणार्थासिद्धेरत्र हेतुमाह । अनागमामिति । उक्तविशेषं विना सामान्येन तादशोपभोक्तर्द-ण्डनिर्देशान्न तथा व्यवस्था युक्तेतिभावः।

ननु तत्र सामान्योक्तावप्यत्र विशेषोक्त्या एतद्न्यपरत्वं तस्येति युक्तैव व्यवस्थाऽत आह । नोपेति । उपभोगमात्रबलादेव न स्वत्वसिद्धिरित्यर्थः । तथा च कथं समक्षभोगेऽपि तन्मात्रा-त्स्वत्वहानिस्तदुत्पत्तिश्च ?। यदि तथा स्वीक्रियते तर्हि सामान्येनैतद्भचनविरोध इति भावः। नन्विदमपि परोक्षमोगविषयकमेवास्तामुक्तवचनैकवाक्यतया अत आह । समक्षेति । चो उन्ते योज्यः । अनासेधेन स्वत्वानपगम उपभोगेन स्वत्वानिष्पत्तिश्चेति प्रागुक्तरीत्या हानिकारणा-१९ भाव इति भावः । तसादेतद्नुपपत्तिस्तद्वस्थेति सिद्धम् । नन्वेवं माऽस्त्वस्य प्रागुक्तोऽर्थः किं त्वन्य एवेलाह । न चैतन्मन्तव्यमिति । इतीलान्तेन वक्ष्यमाणमिलार्थः । प्रावल्येति । आध्यादिषु तदपवादत्वेन यत्पूर्विक्रयायाः प्राबल्यमुक्तं तदपवादतया भूमो विंशतिवर्षीपभो-गसहितोत्तरिकया प्रबला, धने तु दशवर्षीपभोगसिहतेति^२, ईदृशस्थले आध्यादिष्वप्युत्तरैव क्रिया याह्मेत्येवार्थ इत्सर्थः । अत्र क्रिया कारणम् । भूमौ विंशतिवर्षोपभोगाभावे धने च तादृशतदभावे १५ पूर्वकृताध्यादिकमेव प्रबलं, ततोऽन्यत्र तद्पेक्षयोत्तरकालकृतमेव तत्प्रबलमिति व्यवस्थिति भावः । हेतुमाह । यत इति । तेषु आध्यादिषु । उत्तरिक्रयाया एव वस्तुतोऽभावात्पूर्विक्रयापेक्षया प्राबल्यं न संभवति । सति हि धर्मिणि धर्मचिंतनमिति भावः । तत्राह । स्वमेव हीति । स्वत्वविशिष्टमेव हीत्यर्थः । तत्र हेतुमाह । न चेति । न हीत्यर्थः । वा चार्थे । प्रेंतिय्रहांशे युक्त्यन्तरमप्याह । अस्वत्वस्येति । अभ्युपेत्य एवं सित याञ्चवल्क्यस्य पूर्वापरविरो-२° धादानर्थक्यापत्तिरपि दोषान्तरमित्याह । तथेति । अस श्लोकस्रेत्यस्य मध्यमणिन्यायेनोभय-त्रान्वयः । अपवादः अपवादत्वम् । आधौ पूर्वत उत्तरप्राबल्येऽनेन बोधितेऽग्रिमवचनेनाधौ एतदपवादतयोत्तरकार्याप्राबल्यबोधने तत्रैव विपरीताभिधानेन मिथो विरोधात्तदानर्थक्यमिति भावः । उपसंहरति । तस्मादिति । हानिरिति । सत्वहान्या सक्रपहानिरित्यर्थः ।

नतु मा भूत्सरूपहानिः किं तु तदनन्तरं तिद्विषयव्यवहारहानिरनेन प्रतिपाद्यते इत्यत्र आह । 
भू नापीति । तावत्पर्यन्तं परोपभोगे भोग्यभोजकभावसंबन्धाभावेन वस्तुनो नष्टत्वात्तद्भावनिमित्तकन्तपादिकृतवास्तवव्यवहारहानिरित्यर्थः । तत्र हेतुमाह । यत इति । उक्त ईत्यत्रान्वयः ।
तस्य वादिनः । उपेक्षामित्यनेन शारीरव्यापारशून्यत्वं तूष्णीमित्यनेन वाग्व्यापारशून्यत्वं तेनाकृवत इत्यर्थछाभः । तिष्ठतः विद्यमानस्य । अनेन द्विविधाविद्यमानत्वव्यवच्छेदः । तेनापश्यत इत्यसार्थस्य छाभः । विपन्ने पूर्णे समाप्ते इति यावत् । पूर्वोक्ते संकेतिते । व्यवहार। इत्यानी मुख्यहेतुमाह । उपेक्षािकङ्गेति । अन्यथा तिद्विशेषणानर्थक्यमेवेति भावः । तथा
चोक्तार्थे हेतुत्वमेवास्य वचनसानेनोपपादितमिति बोध्यम् । उपेक्षायां यानि छिङ्गानि जडत्व-

१ ख---खत्वानपगमात् । २ ख---सहिते तादृशः। ३ ग--कारणं, ख--कृतिः। ४ फ---प्रतिग्रहे। ५ क ख ग फ-अखस्येति । ६ फ ग----डक्तेसत्रान्वयः।

बालस्वादीनि तेषां यो भावस्तत्कृता तिन्निमित्तेवेत्यर्थः । एवव्यवच्छेद्यमाह । न तु वस्त्व-भावेति । पराकान्तत्वात्तत्संबन्धाभावकृततद्भावेत्यर्थः । उपेक्षालिङ्गेष्वसत्सु एतावत्पर्यन्तं विप्र-तिपन्नवस्तुनः स्वीयत्वे किमित्यनेन व्यवहारो न कृत इति प्रत्यर्थिनोक्ते वादी निरुत्तरो भवतीत्येवं प्रकारेण व्यवहाराभावो नारदेनोच्यते । 'उपेक्षां कुर्वत ' इत्युक्तेः । अन्यथा तदानर्थक्यं स्पष्टमेव । अतो न तथा वस्तुनोऽभावकृतो व्यवहाराभावो वक्तुं शक्य इति तात्पर्यम् ।

साधकान्तरमाह । तथेति । विषयश्चास्य भुज्यते इति । 'विषये चास्येति' पाठान्तरम् । 'विषये चास्य भुज्जत' इति तृतीयपाठः । विषयो देशः । अस्य धनिनः । अजडश्चेत्यादि । "यित्किचिद्दशवर्षाणि संनिधो प्रेक्षते धनी । भुज्यमानं परैस्तूष्णीं न स तल्लब्धुमर्हति " ॥ इति पूर्वशेष इति मेधातिथिः । तत् धनिकरूपम् । तद्धनं तदुत्पन्नं फलरूपम् । इति इत्येवं प्रकारेण । प्रथमपक्षं निराचष्टे। न वस्तुत इति । न तथा वस्त्वभावकृत इत्यर्थः ।

सर्वथा व्यवहारभङ्गे नानयोस्तात्पर्यम् , किन्तु वादिनिरुत्तरत्त्वे इति प्रतिपादयन्नाह । व्यवहारिति । भवतीतीत्यन्तेनान्वयः। वदतीत्यस्य उदास्ते इतीत्यत्रान्वयः। 'अजड' इत्यादि उपलक्षणमन्ये-षामपीत्याह । अवाल इति । अस्येति । अनन्तरयोगे षष्ठी । तत्सूचितमाह । संनिधाविति । भुज्यते इति वर्तमानसामीप्ये लडित्याह चकारसमुचेयमाह । तत्रेति । भुज्यते । भुक्तम् । उदास्ते उदासीनः । अस फलमाह । पवामिति ।

अथास्यान्यथा व्याख्यानमाह । अथ मतिमिति । तादृशोपभोगान्न भूम्यादेस्तद्विषयव्यवहारस्य च हानिः; किं तु तस्य तादृशस्य व्यवहारहानिशङ्का स्यादिति तिन्नवृत्यर्थमासेघो
विधेय इत्यासेघस्यावश्यकर्तव्यतां विधत्ते इदं वचनिमत्यर्थः । तदिप व्याख्यानं दूषयति ।
तच्च नेति । ननु तूष्णीं न स्थातव्यमित्युपदेशः किमदृष्टार्थः ? उत दृष्टार्थः ? ! न तावदन्त्यः,
असंभवात्, व्यवहारहानिशङ्कायां सत्यां तिन्नवृत्यर्थमुपदेशो वाच्यः । सा च कारणे २०
सत्येव भवति नासिति । तच्च कारणं विशतिवर्षपरिमिता मुक्तिरुतान्यत् । तत्र नान्त्यः ।
वचनेऽनुक्तेः । नाद्य इत्याह । स्मान्तिति । स्मरणविषयतायोग्यकालिकमुक्त्या व्यवहारहानिशङ्केव
नोत्यवते साक्ष्यादिसंभवादिति भावः । नाप्यदृष्टार्थ इत्याह । तूष्णीिमिति । दोषद्वयप्रतिपादकोऽयं ग्रन्थः । अविवक्षितं स्यादित्यस्थोभयत्रान्वयः । तथा चैतावन्मात्राभिधित्सायामविविध्वतमनुपपन्नं स्यादित्याद्यर्थः । तूष्णीं नेति उपदेशस्यादृष्टं फलं विधिबलात्करुप्यं यद्यपि तथापि २५
कल्पनैव तावद्गरीयसी । किं चाद्यद्यत्वमेव न । 'बालाग्रशतभागोऽपि न करुप्यो निष्प्रमाणकः ।'
इतिन्यायात् । किं च वक्ष्यमाणप्रकारेण गत्यन्तरसंभवे तद्भावमूलकतत्करुपनाऽसंगता ।
एवं चादृष्टकरुपनयैवास सार्थक्यकरुपनायां बीजाभावान्नास्यादृष्टार्थत्विति भावः ।

असोपदेशसादृष्टार्थत्वमभ्युपेत्याप्याह । विश्वातीति । अत्र तदिविवक्षितमनर्थकं सादित्यर्थः । असोपदेशसादृष्टफलकत्वे तत्फलस विंशतिवर्षरूपमर्यादानुक्ताविप तृष्णीं न स्थातव्यमिति ६० निषेधमात्रेणापि सिद्धिरिति तदुपादानमनर्थकं सादिति भावः । यद्वा तदिप व्याख्यानं दूषयति । तच्च नेत्यादिना । असौ मदीयं क्षेत्रादिकं प्रतिग्रहादिकं विनोपभुक्के इति सरणयोग्यकालिकी या भुक्तिस्तसा व्यवहारहानिशक्कां प्रति कारणत्वाभावात्तिवृत्त्यर्थत्वसैतदुपदेशसासमभवात्तृष्णीं

नेत्येतावन्मात्रोपदेशे वाच्ये विंशतीत्यनर्थकं सात्, दृष्टफलामावेनादृष्टफलकल्पनायां विंशतिवर्ष-रूपमर्यादानुक्ताविष सम्भवात् इति पाठः ।

विंशतीत्यसोक्तमानर्थनयं निराचष्टे । अथोच्यतेत्यादिना ऊर्ध्व विंशतेरिति शेषः । 'पश्यत' इत्यनेन तूष्णीं नेत्येवोपदिश्यते नाधिकं यद्यपि विंशतीति सार्थकम् । तथाहि । यदि विंशति- पवर्षपर्यन्तं स्वामिकृतासेधाभावेन तद्रहितं तावत्काठं वस्तुतः कपटकृतठेख्यमपि प्रत्यर्थिनोपयुक्तं तदा विंशतिवर्षोत्तरं तत्पत्रं निर्दोषमिति पत्रदोषोद्भावननिराकरणार्थत्वेन तत्सार्थकमिति भावः । अत्र प्रमाणमाह । यथाहेति । शक्तस्य निराकरणे समर्थस । संनिधावित्यनेनासांनिध्यव्यवच्छेदः । लेख्येन कपटकृतेन । विंशद्वर्षाणीत्यार्थम् काठाध्वनोरिति द्वितीया । भुज्यते इति प्राग्वत् ।

- इदमपि निराकरोति । तदिप नेति । तथा तस्य सार्थक्येऽप्याध्यादिष्विप उक्तन्यायस तुल्य-त्वेनाग्रे आधिसीमोपेत्यादिम्लवचनेनापवाद्त्वोक्त्यसङ्गत्यापत्त्या मूलयोर्मिथो विरोधापत्तेरित भावः । नन्क्तरीत्या पश्यत इत्यनेन सामान्यतो विंशतिवर्षीपभोगोत्तरं सर्वत्र पत्रेषु दोषोद्रावन-निराकरणे प्राप्ते आधिसीमोपेत्यनेन विशेषवचनेन तद्धिषये तथा न किं तु तदुत्तरमपि तदुद्भावनं कर्त्तव्यमेवेति बोध्यते इति प्रागुक्तापवादत्वसम्भवेन तस्य कुतो विरोधो मिथ इति चेन्न । वचना-अन्तरिवरोधेनैवं व्यवस्थाया दुर्वचत्वात् । तदेतदिभिप्रेत्य तद्धचनमाह । यथाहेति । तथा च तथाऽङ्गीकारे कात्यायनादिवरोधोऽन्यथा मिथो विरोधः । सयमुभयतःपाशा रज्जुरिति भावः । अथेति । आधिसीमापत्रयोरिप तदुत्तरं दोषोद्भावनं न अपि तु अदृष्टभेवत्यस्थतदुभयप्रतिपाद्य-त्वेनैतद्विपरीतत्तया मूलवचनयोर्व्यवस्थायामेतद्विरोधः । न चेतद्युक्तं वक्ष्यमाणप्रकारेणाविरोधेनै-वोपपत्तेरितिभावः सत्योऽर्थ इति । निर्दुष्टोऽर्थ इत्यर्थः । अन्योऽर्थ इति पाठान्तरम् ।
- तमेव साभिमतमाह । उच्यते इति । इह पश्यत इत्यत्रवचने । विवक्षितेति । तात्पर्यत इति भावः । अत एवोपपादयति । तथाहीति । निराक्रोशामिति । उपभोगिक्रियाविशेष- षणम् । फलेति । तावत्पर्यन्तं ततस्तेन लब्धेत्यादिः । ननु खल्पापराधे महद्निष्टमनुचितमत आह । अस्मादिति । पश्यत इति वाक्याचेत्यर्थः । अन्यथैतस्य वैयर्थ्यं स्पष्टमेव । पदकुत्यान्याह । परोक्षेति । साक्रोशे इति । फलानुसरणं लभते एवेत्यसानुषङ्गः । अत्र हेतुमाह । १५ अब्रुवत इति । यतोऽब्रुवत एव फलहानिरतो ब्रुवत आक्रोशं कुर्वतः फलमस्तीति भावः । निराक्रोशे चेति । फलानुसरणमित्यनुषङ्गः ।

इदमप्ययुक्तमिति शङ्कते । निन्विति । फलस्येति । फलसापीत्यर्थः । तद्धानिरिति । फलहानिरपीत्यर्थः । अस्तु स्वत्वं तथापि विषयविशेषे फलहानिरुपपन्नैवेत्यर्द्धाङ्गीकारेण परिहरति । बाढिमिति । क फलहानिर्गास्ति कास्तीत्याकाङ्कायां यत्र फलं विद्यते तत्र हानिर्ग, विपरीते । विपरीति । कर्मेत्यर्थः । सरूपपदं स्पष्टार्थे । यद्धा स्रूपतः सर्वोशेनैवे-त्यर्थः । तदिति । क्षेत्रेत्यर्थः । पूगः क्रमुकः । एवं चायं पूर्वपक्षविषय इति भावः ।

शकृतवचनविषयमाह । यत्पुनरिति । यत्त्वित्यर्थः । 'यत्र पुनरिति' पाठान्तरम् । स्वत्व-नारा इति । सम्बन्धिनः खरूपसामावात्सम्बन्धघटकस्वत्वस्य निवृत्तावपीत्यर्थः । वचनेनेति । चौरेणापहृतं द्रव्यं स्वामिने दापियत्वा ततो यथा राज्ञा दण्डो गृह्यते तद्वत्ताहशोपभोक्तारं पापिष्ठं तं स्वामिने तद्दापियत्वा स्वयं राजा दण्डयेदिति तत्पूर्वदण्डविधायकेन कात्यायनवचनेने-त्यर्थः । अपोद्यते बाध्यते । उक्तवचनबलात्फलमूलादिदाने प्राप्ते केवलं फलहानिस्तत्रानेन विधीयते इति तैंदपवादत्वमस्रोति भावः । अत एवाह । राजदण्ड इति । तद्वचनबोधित इत्यर्थः । स्वत्वहेतुः प्रतिग्रहक्रयादिरागमः । वचने तत् क्रियाविशेषणम् । अपेति । तद्वदेतद्वि-भ षयेऽपवादाभावाचेत्यर्थः। स्वोक्तमुपसंह्ररति । तस्मादिति । अन्योपेक्षा नापराध इति स्चयन्नाह । स्वाम्युपेति । नष्टामिति । स्वरूपत इति भावः । व्याख्यातिमिति । उक्तवत्तसापि फलहा-निपरतया सुयोजत्वात् ॥ २४ ॥

# याज्ञवल्कीये २५ श्लोकः

यथाश्रुतप्रकारद्वयेऽप्यनुपपत्तराह आधिश्चेत्यादिना । लघ्यक्षरत्वाज्जाडस पूर्वनिपातः । अत्र १० द्वन्द्वस्तरपप्रतिपादने तात्पर्य न तु क्रमे । तथा च जडेत्यादि संसाध्य तेन सहोपनिक्षेपादिमि स्त्रिमिर्व्युत्कमेण त्रिवारं द्वन्द्वः कार्यः । यथाश्रुते तु आधिशर्व्यंस्य घ्यन्तत्वात्पूर्वनिपातसम्भवेऽपि द्वितीर्यद्वन्द्वे जडेत्यादेः पूर्वनिपातः सात् । अनित्यत्वं त्वगतिकगतिः । अत उत्तेव गतिन्वीय्या । उपनिधित उपनिक्षेपस मेदं दर्शयन्नेतद्र्थमाह । उपनिक्षेपो नामेति । तथा च स्त्रपसंख्ये अप्रदर्शयित्वा रक्षणार्थं यदीयते स उपनिधिः । समुद्राद्यङ्कितप्रन्थिकरणमभयत्र १५ समानम् । अत एव तत्र भोगाभाव इति बोध्यम् । अत्रोपत्यविवक्षितमिति सूचयन्नाह । यथाहेति । स्वमित्यस्य यदित्यादिः । यत्र परहत्ते । विस्वमभात् विश्वासात् । अनेन स्त्रपसंख्याऽप्रदर्शनं सूच्यते । अविशक्तित्वत्वित्राद्वेत इत्यनेन रक्षणार्थत्वं सूच्यते । तथोपनिधीति भिन्नं वाक्यम् । सामान्ये नपुंसकम् । विनायोगे द्वितीयैकवचनम् । तद्विना चेत्यर्थः । तद्वृद्धर्थस्तु उक्तः योगार्थमाह । उपनिधानिमिति । अभ्यहितत्विवक्षया राजशब्दस पूर्वनिपातः । धनै २० रपीत्यत्र विनेत्यसानुषङ्गो बोध्यः । इदं च पूर्ववाक्येन परयत इत्यनेनान्वेति । तथा च तदे-कवाक्यता शाब्दी ।

अथ तात्पर्यार्थमाह । आध्यादिष्वित । अनुवत इति छेदः । अपिनाऽन्यसमुच्चयः । अग्रिमा-पिना प्राक्त्वसमुच्चयः । उपचयेति । फलहानिनं भवतीत्यर्थः । अत्र हेतुमाह । पुरुषेति । खामी-त्यर्थः । खल्पसत्त्वऽपि न दोष इत्याह । तथाविधेति । येनेदृशं फलं तादृशत्यर्थः । अत्र हेतुमाई । अप उपेक्षेति । तत्र तत्र आध्यादिषु । आधित्वोपाधिक एवेति । आधित्वनिमित्तक एवेत्यर्थः । आ-धिक्योपाधिक इति पाठान्तरम् । तत्र आधिक्यं वृद्धिः । चिरकृतेति । पूर्वतरकृतेत्यर्थः । चिरधुँ-तेति पाठान्तरम् । सुसाध्यत्वादिति पाठः । सुसाधनर्त्यादिति पाठान्तरम् । मूलक्रमबोधने ताल्पर्या-दाह । उपनिक्षेपेति । अन्यथा ऽल्पाच्तरत्वात्पूर्वनिपैति वैपरीत्यं सात् । प्रैतिषिद्धत्वादित्यस्थो-पेक्षोपपत्तिरित्यत्रान्वयः । निधानकाले तत्कृतं प्रतिषेधमुङ्कङ्गय भोगे क्रियमाणे आह । प्रतीति । ३०

[#] तदपवादित्वमस्येति । १ खफ-आधेर्ध्यतत्वात् । २ खफ-तृतीयद्वन्द्वे । ३ क-उपनिधिना । ४ क=अदर्शयित्वा । ५ फ=भोगोमावः । ६ ख-हेतुमाहापेक्षेति । ७ ख-चिरमृतेति । ८ कग-सुसा-धत्वादिति । ९ ख-अल्पाचारत्वात् । १० फ-निघाते । ११ खग-सिद्धत्वात् -फ-विरुद्धत्वात् ।

षष्ठीतत्पुरुषपूर्वपदकतृतीयातत्पुरुषः । चो व्युत्कमे । लाभाचेत्यर्थः । व्याकुलत्वादिति । उपेक्षा युक्तैवेत्यसानुषङ्गः । एवमग्रेऽपि । तद्थेति । विचारानुष्ठानयोर्द्वन्दं कृत्वा तद्र्थशब्देन षष्ठीतत्पुरुषं कृत्वा पुनस्रयाणां द्वन्द्वं कृत्वा तृतीयातत्पुरुष इति भावः । उपसंहरति । तस्मा-दिति । कदाचिदिति । विंशतेः पूर्वे तत्रानन्तरं चेत्यर्थः ॥ २५ ॥

अध्यादिषु अपिह्रियमाणेषु अव्यवहितग्रहणसम्भवे व्यवहितग्रहणाभावात् सङ्कोचे मानाभाग्वाचाह । श्रोत्रियेति । अपहारे निमित्तमाह । चिरोति । धनमित्यसार्थमाह । विवादेति । अनुवाद इति । 'दाप्यः सर्व नृपेणे' त्यनेन, 'सपणश्रेद्विवादः स्यात्तत्र हीनं तु दापयेदि' त्यनेन चास्यार्थस्य विहितत्वादिति भावः । 'निह्ववे भावितो दद्यादि'त्यनेनैवास्यार्थस्य विहितत्वात्तत्र दानस्य विहितत्वेन दानेनैव दापनस्याप्याक्षिप्तत्वादिति भावः । तृतीयपादार्थमाह । दण्डं चेति । 'तत्सममित्यस्य व्याख्या विवादेति । अनुषङ्गेणाह । दापयेदिति । विधिरिति । प्राङ्विवाकादेति शेषः ।

नर्न्वयमि विधिनं, 'निह्नवे' इत्यत्र 'राज्ञे च तत्समिन'त्यनेनेव प्रकृतधनसमदण्डस्यापि विहित-त्वादिति चेन्न । तस्य ऋणादानमात्रविषयत्वेनासर्वविषयत्वेन प्रकृतेऽप्राप्तेः । सर्वविषयत्वेऽपि तत्र तत्र विहितदण्डस्य 'राज्ञे च तत्समिन'त्यनेनानुवादात् । अतो न दोषः । प्रतिपादितिमिदं तत्रैव । भ्यतदेतत् ध्वनयन्नेवाह । यद्यपीति । गृहान्तरादिरूपदण्डदानस्यासम्भवेनाशक्यत्वात् । यद्यपि शक्तस्यास्ति सम्भवस्तथापि साम्यं दुर्घटम् । तथाचाध्यादिसर्वविषयत्वमेतस्यानुपपन्नमिति भावः ।

आदिना 'क्षेत्रस हरणे दण्डा अधमोत्तममध्यमाः' । (या. व्य. अ. श्हो. १५५) इत्युत्तरार्धपरिग्रहः । दण्ड इति । तत्रेति रोषः । तथा च तत्सममित्यनेन तादृशे स्थले वक्ष्यमाण एव सूत्यसाम्यद्वारा दापनीयत्वेनास्य दण्डो विधीयते इति भावः । नन्वेवमत्राग्रे २० चैकसैवार्थस्य विधानाद्व्यतरस्याविधित्वं स्यादिति चेन्न । वक्ष्यमाणस्थले दण्डस्वरूपविधिरत्र तु प्राप्तदण्डानुवादेन दापनविधिरित्येवमुभयत्रै विधिसम्भवात् ।

तुर्यपादार्थमाह । अथेति । बिहिति पूर्वान्विय । शक्तयपेक्षत्वस्य मर्यादामाह । यावतेति । एति । एति । दण्ड इति । तेन दण्डेन । द्रण्डेति । इत्यत्र गौतमीये दण्डमहणस्य दमनार्थत्वस्थोक्तत्वात् इत्यर्थः । तथा च तस्य योगरूढत्वेन योगवशेन तछ्यभिति भावः । २५ अनेनैवाधिकस्थेव न्यूनसापि विनिगमकाभावात्तयोक्तया संम्रह इत्याह । यस्य त्विति । एवमे-वानेनैव छन्धं विशेषान्तरमाह । यस्य पुनिरिति । यस त्वित्यर्थः । ननु धिगदण्डादेर्दण्डत्वमे-वादाविसद्धं, सिद्धेऽपि वा दण्डत्वे तद्विधः कृतो ऽवगम्यते इत्यत आह । तथा चेति । धिगदण्डो 'धिक् धिगिति' कुत्सनम् । वागदण्डः परुषशापवचनात्मकः । धनदण्डो धनाप-हारः । वधदण्डः शारीरो बँन्धरोधादिजीवितवियोगान्तः ।

१ गफ-नन्वयमि विधिर्न, 'दंडं च स्वपणं चैवे'त्यनेनैवास्यापि विहितत्वादिति चेन्न । तत्र दण्डमात्रस्य दापनिविधाविप न तत्समस्येति नेदात् । निन्हवे तु भयप्रदानिविधिर्न तु दोषं न विधिरध्ययनाध्यापनिविधिन वदुभयोरावश्यकत्वमिति भावः । २ फ-तदेतत् तटे तीरे । ३ ग-उभयविधिसम्भवात् । ४ फ-'तेन दण्डेन दण्डिति इत्यत्र । ५ ख-वाग्दण्डत्वे । ६ क-पुरुषवाक्यवचनात्मकः । ७ ग-वध ।

एते च चतुर्विधा दण्डा व्यस्ता एकैकशः, समस्ता द्वित्राश्चिचतुरा वा ऽपराधानुसारेण प्रयो-क्तव्याः । तदुक्तं मनुना, (अ. ८ श्लो. १३०)।

"वधेनापि यदा त्वेतान्निग्रहीतुं न शक्तुयात् । तदेषु सर्वमप्येतत्त्रयुद्धीत चतुष्टयम्" ॥ इति । वधेनापि ताडनेनापि । अपिरन्यसमुच्चये । उक्तक्रमेण पूर्वपूर्वासाध्ये उत्तरः उत्तरः प्रयोक्तव्यः । तथा चात्र प्रथमतदनन्तरतृतीयातःपरशब्दा धिग्दण्डवाग्दण्डधनदण्डवधदण्डानां मध्ये ५ पूर्वपूर्वापेक्षयोत्तरोत्तरसाधिक्यप्रतिपादका न तु सर्वेष्वप्यपराधेषु प्रथमादिक्रमेण कर्त्तव्यताप्रति-पादका इति बोध्यम् । अयं पाठः प्रागुक्तस्य धिग्दण्डस्त्वथेतिमूलस्य संवादी ।

मेधातिथिना तु आद्ययोर्व्यत्ययेन पाठं धृत्वा यो गुणवानीषत्प्रथममेवापराधं कृतवान् स चानिर्भर्त्सः, 'साधु गुणवानिस मा पुनरेवं कार्षीरिति'। तथोच्यमानो यदि ततो न निवर्त्तते तदा धिग्दण्डेन कुत्साविशिष्टैः परुषवचनैर्निर्भर्त्सः। एवमग्रेऽपीति व्याख्यातम्। *नारदेन तु १० दण्डद्वैविध्यमुक्तम्। तथाहि, ''शारीरश्चार्थदण्डश्च दण्डस्तु द्विविधः स्मृतः। शारीरस्ताडनादिस्तु मरणान्तः प्रकीर्तितः॥ काकिण्यादिस्त्वर्थदण्डः सर्वस्वान्तस्तयेव च''। इति। द्विविधोऽप्यपराधा-गुसारेणानेकधा भवति। आह स स एव, 'शारीरो दशधा प्रोक्तो ह्यर्थदण्डस्त्वनेकधा'। इति।

इदं च दण्डकथनम् ब्राह्मणादिसर्वविषयम् । न च 'राजा सर्वसेष्टे ब्राह्मणवर्जमिति' गौतमा-'न्न ब्राह्मणा दण्ड्या इति' वाच्यम् । तस्य प्रशंसार्थत्वात् । न चैवं 'षड्भिः परिहार्यो राज्ञाऽ-१५ वध्यश्चादंड्यश्चाविहःकार्य्यश्चापरिवाह्मश्चापरिहार्यश्चेति' तस्य प्रागुक्तस्वोक्तिविरोध इति वाच्यम् । अस्यैतद्व्यविहतपूर्वतनेन स्वेनेच, स एष बहुश्रुतो भवति लोकवेदवेदाङ्गविद्वाकोवाक्येतिहासपु-राणकुशलस्तदपेक्षस्तद्वृत्तिश्चाष्टाचत्वारिंशता संस्कारैः संस्कृतिह्मिषु कर्मस्वभिरतः षट्सु वा सामयि-काचारिकेष्वभिविनीत इत्यनेन प्रतिपादितबहुश्रुतविषयत्वेन ब्राह्मणमात्रविषयत्वाभावात् । प्रति-पादितमिदमधस्तात् व्याख्यातं च ।

तदेतत् ध्वनयन्विशेषमाह । वधदण्डोऽपीति । ब्राह्मणव्यतिरिक्तानां ब्राह्मणव्यतिरिक्तानां तु । कचित्तथेव पाठः । अत्र कचिद्वधदण्डोऽपि शारीरो ब्राह्मणव्यतिरिक्तानां नवधा दर्शित इति पाठः । स च वक्ष्यमाणाद्यव्याख्यानानुकूलः । आद्यपाठस्तु द्वितीयव्याख्यानानुकूलो दश स्थानानीत्युक्तिस्वरसिद्धः । 'शारीरो दशधा शोक्त' इति नारदसंवादी चेति बोध्यम् । तत्र मानमाह । यथाहेति । त्रिषु क्षत्रियवैश्यशूद्रेषु वर्णेषु यानि दण्डस स्थानानि तानि दश सोऽ-२५ ब्रविदित्यर्थः । इदसुपलक्षणमनुलोमादेरि । तदेतत् ध्वनयन्नाह । अक्षत इति । शारीरसकल-वधदण्डरित इत्यर्थः । वज्ञेत् राजगृहात् पुराद्वा । पञ्चमं स्थानम् अव्यवहितेनान्वेति । स्थानशब्दोऽत्र विषयपरः । तत्तत्यदेशे पीडनीय इति तात्पर्यम् । न च धनदण्डस पृथिग्वहित-

१ करबफ-स वाचा निर्भत्स्थै:। २ 'न साधुकृतवानिस' इति मेथातिथिटीकांतर्गतः पाठः।

* इमौ श्लोकौ=मट्टजॉलीभि: संशोधित-नारदस्मृतौ परिशिष्टमागे उपलभ्येते । शारीरश्चार्थदण्डश्चेत्सस्योत्तरार्थः शारीरो दश्चा प्रोक्त इति अग्रे वर्तते । ५३ । ५४ श्लोकौ । शारीरस्ताडनादिरिति श्लोकेऽपि पूर्वाधोत्तरार्थयोविष्यांसो दृद्यते ।

३ गफ-पुस्तकपाठः ।

त्वाच्छारीरभेदमध्ये तदुक्तिः पुनरयुक्ता ऽसम्बद्धा चेति वाच्यम् । धनकृतापराधे तदण्ड एव नान्य इत्येतदर्थे पुनस्तदुक्तेः । तन्मध्ये लेखस्तु तत्तुल्यत्वप्रतिपादनाय । यद्वा तत्पीडया शरीर-पीडापरोऽयमन्य एव ततो धनदण्डादिति प्रकारान्तरमत्र मेधातिथिनोक्तं तत एव बोध्यम् ।

अव्यवस्थानिरासायोक्तिस्तात्पर्यमाह । एतेषां चेति । उपस्थादीनां मध्ये इत्यर्थः । उपस्थमत्र पश्चीपुंसयोः प्रजनोत्पादकम् । यत्र च दण्डिविशेषो नाम्नातस्तत्र यस्य यत्कृतापराधः स तत्रैव पीड-नीयः । तत्रागम्यागमने उपस्थिनग्रहः । अभक्ष्यभक्षणे उदरिनग्रह आहारिनिवृत्त्यादिना । वाग्द-ण्डपारुष्ये जिव्हायाः, स च छेदः । चौर्ये हस्तयोः । पादजबलवद्यतिक्रमात् पादयोः । राज-दारिददक्षायां चक्षुषोः । तदनुलेपनाद्याजिन्नतो नासिकायाः । राजादिरहस्यं भित्त्याद्यन्तरे श्रुण्वतः कर्णयोः । महापातिकनो मारणे देहस्येति बोध्यम् ।

- ननु आध्याद्यपहारे महादोषे अिक स्वनस्य धिग्दण्डाद्युक्तमयुक्तं तस्य स्वल्पापराधिवषयत्वादतः तन्नैव पक्षान्तरमप्याह । कर्मेति । अत्र क्रमोऽप्येवमेव बोध्यः । मेघातिथ्युक्तेः, अये ऽशक्ता-वित्युक्तेश्व । अत्र मानमाह । यथोक्तमिति । धनेति । सर्वथा धनदानाक्षमं ज्ञात्वा साधीनं कर्म कारयेदित्यर्थः । अशक्तो कर्मकरणाशक्तो । त्राह्मणादते इत्युभयोः शेष इति ध्वनयन्नाह । ब्राह्मोति । पुनः तु । अधिकरणस्य शेषत्वविवक्षया षष्ठी, प्रयोज्यानीत्यस्य कर्त्तव्यानीत्यर्थे । ब्राह्मणे दुराचारेऽन्यायिनि ब्राह्मणे स्वव्यापारिनरोधान्यायप्रस्थापना-दीनि कर्त्तव्यानीत्यर्थः । ब्राह्मणे इति प्रकृतत्वाङ्गव्यम् । नारदेनापीति । उत्त्वोक्तमित्यत्रा-न्ययः । वधाः प्राणवियोगानुकूलव्यापारः । 'निर्वासने'त्यस्य नित्यसापेक्षत्वेन 'पुरादिति' विशेषणा-न्वितः । यदङ्गकृतो ऽपराधस्तदङ्गत्यर्थः । वधाः ते इति । एष दण्डविधिः स्मृत इत्यसानुषङ्गः । तदेव विशदयित । न वधमिति ।
- १९ वधानुकल्पमाह । शिरस इति । अत एव मनुः, "अत्राह्मणः सङ्ग्रहणे प्राणान्तं दण्ड-महिति । (अ. ८ श्लो. ३५९ ।) मौण्ड्यं प्राणान्तिको दण्डो त्राह्मणस्य विधीयते । इतरेषां तु वर्णानां दण्डः प्राणान्तिको भवेत् ॥ न जातु त्राह्मणं हन्यात्सर्वपापेष्ववस्थितम् । राष्ट्रादेनं षहिः कुर्यात्समग्रधनमक्षतम् ॥ न त्राह्मणवधाद्भयानधर्मो विद्यते भुवि । तस्मादस्य वधं राजा मनसा ऽपि न चिन्तयेत् ॥" इति

(अ. ८ श्लो. ३७९-३८१)

धमोऽपि,

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'सर्वेषामेव वर्णानामन्योन्यसापराधिनाम् । शारीरं धनसंयुक्तं दण्डं धर्म्यं प्रकल्पयेत् ॥ जगत्सर्वमिदं हन्यात् ब्राह्मणस्य न तत्समम् । तस्यात्तस्य वधं राजा मनसाऽपि न चिन्तयेत् ॥ अष्रध्याम् ब्राह्मणान् प्राहुः सर्वपापेष्ववस्थितान् । यद्यद्विप्रेषु कुश्रुः तत्तद्वाजा समाचरेत् ॥' इति।

३॰ सुमन्तुरिप, 'नाततायिवधे दोषोऽन्यत्र गोत्राह्मणवधादिति'। बृहस्पतिरिप, 'महापातक-युक्तोऽपि न विशो वधमईति । निर्वासनाङ्कने मौण्ड्यं तस्य कुर्यान्नराधिपः ॥' इति ।

१ क=पादजे बलवद्यतिक्रमात्। २ फ=वधावृते।

'वधादते ब्राह्मणस दण्डो भवति कर्हिचित्। अवध्या ब्राह्मणा गावो ठोकेऽसिन्वैदिकी स्मृतिः॥' इति स्मृत्यन्तरमपि । पुरादिति । अत एव मनुः, "असम्भोज्या असंयाज्या असम्पाठ्या-विवाहिनः । चरेयुः पृथिवीं दीनाः सर्वधर्मबहिष्कृताः ॥ ज्ञातिसम्बन्धिमिस्त्वेते त्यक्तव्याः कृत- लक्षणाः । निर्देया निर्नमस्कारास्तन्मनोरंनुशासनम् ॥" इति । (अ. ९ । श्लो २२८।२३९) ।

ललाटे चेति । अत एव वृहस्पतिः, 'हस्ताङ्किलिङ्गनयनं जिव्हा कर्णैं च नासिका । प्रीवा पादाईसन्दंशं ललाटोष्ठं गुदं किटः ॥ स्थानान्येतानि दण्डस निर्दिष्टानि चतुर्दश । ललाटेऽङ्को ब्राह्मणस्य नान्यो दण्डो विधीयते'॥ इति ।

प्रयाणिमिति। अत एव यमः, "ब्राह्मणसापराधेषु चतुर्ष्वेव विधीयते। शिरसो मुण्डनं दण्डः पुरान्निर्वासनं तथा॥ प्रस्थापनार्थं पापस्य प्रयाणं गर्दमेन च। ठठाटे चाङ्करणं कुर्याद्राजा यथाविधि"॥ इति । दर्शितोति। मनुनेति शेषः। गुर्विति। "ब्रह्महा च सुरापश्च स्तेयी च १० गुरुतत्थमः। एते सर्वे पृथक् श्रेया महापातिकनो नराः॥ चतुर्णामिषि चैतेषां प्रायश्चित्तमकुर्व-ताम्। शारीरं धनसंयुक्तं दण्डं धर्म्यं प्रकल्पयेत्॥ इत्यादिः।" (अ. ९।२३५)। सुरोति। सुरासम्बन्धी यो ध्वजः स कार्य इत्यर्थः। श्वपदं ग्रुनःपदम्। अशिराः कबन्धः। 'ब्राह्मणस्य च ब्रह्महत्थागुरुतत्थमुवर्णस्तेयसुरापानेषु कबन्धभगश्चपादध्वजांस्तिनायसेन ठठाटेऽङ्कयित्वा विषयान्ते निर्वासनमिति' वौधायनः। "ब्राह्मणस्यापराधेषु चतुर्ष्वेङ्को विधीयते। गुरुतत्थे सुरापाने स्तेये १५ ब्राह्मणहिंसने॥ गुरुतत्थे भगः कार्यः सुरापाने सुराध्वजः। स्तेये तु श्वपदं कृत्वा शिखिप्रीवेण पूर्येत्॥ विशिराः पुरुषः कार्यो ठठाटे द्विजघातिनः। असम्भाव्यस्तु कर्त्तव्यस्तन्मनोरनुशासन्नम्॥ "इति नारदः। (प. ४३।४४।४५।)। 'शिठाञ्चनं शिखिप्रीव'मित्यमरः'। (२-९-१०१)। अस्यापवादोऽपि मनुनोक्तः। "प्रायश्चित्तं तु कुर्वाणाः सर्वे वर्णा यथोदितम्। नाङ्क्ष्या राज्ञा ठठाटे स्युर्दाप्यास्तूत्तमसाहसम्॥ आगःसु ब्राह्मणस्येव कार्यो मध्यमसाहसः। निर्वास्यो २० वा भवेत् राष्ट्रात्सद्वः सपरिच्छदः॥" इति (अ. ९।२४०-२४१) परिच्छदशब्देन पुत्रदारभृत्यहस्त्यश्चादिसम्पदुच्यते। सपरिग्रह इति पाठान्तरेऽप्येवम्।

तदङ्गच्छेदोऽपि ब्राह्मणस्य नास्तीति प्रतिपादयन् विरोधं परिहरति । यन्विति । आपस्तम्वेनोक्तिमिति। आपस्तम्बवचनिमिति पाठान्तरम् । न चक्षुरुद्धरणिमिति। न चक्षुषोरुद्धरणं तस्यार्थं इत्यर्थः। क्रचित्तथैव पाठः । मनुं प्रागुक्तमाह । अक्षत इति । गौतममाह । न २५
शारीरो ब्राह्मणं दण्ड इति । प्रथमादिना प्रागुक्तमनुगौतमवचनान्तरपरिष्रहः । द्वितीयादिना,
'न त्वङ्गभेदं विप्रस्य प्रवदन्ति मनीषिणः । तपसा चेज्यया चैव ब्राह्मणः पूयते सदेति ॥' हारीतस्य । 'सर्वत्र त्रयाणां वर्णानां धनहारको वधवनधित्रयारूपयोगो महत्स्विप पातकेषु विवासकरणं
ब्राह्मणस्य प्रायश्चित्तानि वाशोधनमपीद्यो हि ब्राह्मण' इति शङ्कालिखितयोः, प्रागुक्तस्मृतीनां च
परिग्रहः । सर्वस्वहरणमपि ब्राह्मणस्य नास्ति । 'सद्रव्यः सपरिच्छद' इत्यप्रे, 'इतरे कृतवन्तस्तु ३०
पापान्यतान्यकामतः । सर्वस्वहारमईन्ति कामतस्तु प्रवासनम् ॥' इति मनुकेः । (अ-९।
२४२।) त्रयाणां वर्णानां धनापहारवधवन्धनित्रयाविवासनाङ्करणं न ब्राह्मणस्रेति शङ्कोक्ते-

१ क-शिखिपित्तेन।

श्च । तत्र धनापहारः सर्वस्वापहारो विवक्षितो वधसाहचर्यात् । शारीरस्त्ववरोधादिरिति प्रागुक्त-नारदीये वधसर्वस्वहरणयोः पाठाचेति । तसात् ब्राह्मणस्य शारीरः सर्वोऽपि दण्डो नास्ति कदा-चिदपि प्रागुक्तस्मृतिकदम्बात् ।

'आचार्य च प्रवक्तारं पितरं मातरं गुरुम् । न हिंस्यात् ब्राह्मणानगाश्च सर्वाश्चेव तपस्विनः ॥'
"(अ. ८ । श्लो. १६२ ।) इति मन् क्तिश्च धनदण्डमध्ये सर्वस्वहरणं नास्ति । तदन्यधनदण्डस्त्वस्त्येव । समग्रधनमिति तु प्रकृतसाहसविषयम् । 'ब्राह्मणे साहसः पूर्व' इति मन् कमप्येवम् । तथा
च धिग्दण्डवाग्दण्डौ मौण्ड्यं यत्किश्चिद्र्थदण्डो विवासनाङ्करणगर्दभप्रयाणानि च पर्यवसितानि ।
इदमपि प्रायश्चित्तानिच्छोः । तदिच्छोस्तु तदेव नैतत् । एवं बहुश्रुतस्यापि न किश्चित् । किं तु
स्वयमेव निष्कृतिं कुर्यात् । साऽपि स्वत्पा प्रायश्चित्तप्रकरणे स्फुटीभविष्यति । अत एवात्रापि
श्रमाक्षिप्रकरणे मूळे (श्लो. ८१–८२) उक्तम् । "पृथक् पृथक् दण्डनीयाः कृटकृत्साक्षिणस्तथा।
विवादात् द्विगुणं दण्डं विवास्यो ब्राह्मणः स्मृतः ॥ यः साक्ष्यं श्रावितो ऽन्येभ्यो निह्नुते तत्तमोचृतः । स दाप्योऽष्टगुणं दण्डं ब्राह्मणं तु विवासयेत् ॥" इति स्तेयप्रकरणेऽपि, सचिह्नं ब्राह्मणं
कृत्वा खराष्टाद्विप्रवासयेत् । (व्य. अ. श्लो. २७०) इत्युक्तम् । मनुनाऽप्युक्तं, "कौटसाक्ष्यं
तु कुर्वाणांस्रीन्वर्णान्धार्मिको नृपः । प्रवासयेदण्डियत्वा ब्राह्मणं तु विवासयेत्" ॥ इति ।
१५ (अ. ८ श्लो. १२३)

असार्थोंऽये स्फुटीभविष्यति । अत्र प्रवास ओष्टच्छेदनं जिह्नाछेदनं प्राणिवयोजनं चेति यथायथं बोध्यम् । विवासो निष्कारानं नमीकरणं वा गृहभङ्गो वेति यथायथं बोध्यम् । तत्रेयं व्यवस्था । लोभादिकारणविशेषपरिज्ञानेऽनम्यासे च ब्राह्मणस्यापि तत्र तत्रोक्तोऽर्थउण्ड एवाभ्यासे त्वर्थदण्डो विवासनं च । तत्रापि जातिद्रव्यानुबन्धाद्यपेक्षया विवासनं नमीकरणं २०गृहभङ्गो देशान्निर्वासनं चेति व्यवस्था द्रष्टव्या । लोभादिकारणविशेपापरिज्ञानेऽभ्यासे चाल्पविषये कौटसाक्ष्ये ब्राह्मणस्यापि क्षत्रियादिवदर्थदण्ड एव । महाविषये तु देशान्निर्वासनमेव । अत्राप्यभ्यासे सर्वेषामेव मन्तं बोध्यम् । अकिञ्चनस्य तु तस्य निमित्ततारतम्येन मोण्ड्याङ्ककरणगर्द-भप्रयाणिवन्दण्डवाग्दण्डाः क्रमेण बोध्या इति । न च समग्रधनित्याद्यक्त्या ब्राह्मणस्थिदण्डो नास्तीति वाच्यम् । अर्थदण्डाभावे शारीरदण्डे च निषिद्धे स्वल्पेऽप्यपराधे सधनस्य नग्नीकरण-रूप्यहमङ्गाङ्ककरणविप्रवासनं दण्डाभावो वा प्रसज्येत, यतः 'चतुर्णामपीति' प्रागुक्तरस्तेः । 'सहसं ब्राह्मणो दण्ड्यो गुप्तां विप्रां बलाह्मजन् ।' इति स्मृतेश्चेति दिक् । एवं कर्मकारण-बन्धनागारप्रवेशाविप ब्राह्मणस्य नेति सिद्धम् । तदेतदिभिप्रत्याह । इत्यलं प्रसङ्कनेति ॥ २६ ॥

अन्यविहितेन सङ्गत्यभावाद् व्यविहितेन सङ्गितिमाह । स्वत्वेति । 'परयतोऽब्रुवत' इत्येत्रेति भावः । भोगमात्रस्य केवलभोगस्य । एवमग्रेऽपि । आद्यपादार्थं शाब्दं सत्वोपपादकहेतोराग-३० मस्य भोगात्प्राबल्यरूपं विशिष्टभोगस्य स्वत्वे प्रामाण्यमभिष्रायतोऽभिधासन्नाह । स्वत्वेति । तत्र हेतुमाह । स्वत्वेति । भोगस्य स्वत्वे प्रामाण्यस्य प्रतिग्रहादिसापेक्षतया, प्रतिग्रहादेस्तु स्वत्वो-

१ ख-प्रामाण्यप्रतिमहादिसापेक्षतया ।

त्यत्तौ भोगानपेक्षतया सापेक्षनिरपेक्षयोर्निरपेक्षं बलीय इति न्यायेनागमस्य प्रतिग्रहाद्यात्मकस्य ततो बलीयस्त्वमिति भावः । अत्र मानमाह । यथाहेति । यथाकथंचिदागमस्यापि न तदेतु-त्विमत्याह । विशुद्धेनिति । कापट्यरहितेनेत्यर्थः । इदमेव व्यतिरेकमुखेन द्रद्धयति । अवि-शुद्धेति । तदेव विशद्यति । न चेति । न हीत्यर्थः । एवं चेदमयुक्तमेवेति शङ्काशयः । समाधत्ते । परेति । तथा च तस्य तद्यभिचारित्वेन न तत्त्वमिति तद्यक्तमेवेति भावः । अत्रापि वारदमेवाह । अत एवेति । स्वयंते इत्यत्रान्वयः । केवलतः केवलं । सार्वविभक्तिकस्तिः । अस्येव व्यवच्छेद्यमाह । नागमिमिति । कचित् कचिद्पे । यद्वा कापि व्यवहारिवषये । भोगेति । भोगच्छलसोपदेशेन कथनेनेत्यर्थः । छलापदेशेनेत्यपपाठः, पौनकक्त्यापत्तः । फलित-माह । अतस्येति । तस्य ततो बलवत्त्वाचेत्यर्थः । तत्र तावत्सामान्यत आह । सागम इति । सागमः विश्वद्वागमसहितः । दिर्घिति । बहुत्रीहिः । एवमग्रेऽपि । अविच्छेदः निरन्तरः । अपरिवर्णितः निराक्रोर्थः । विच्छेदोपरवोज्ञित इति पाठे विच्छेदश्चापरवश्च ताभ्यामु-जित्तः रितः चाविच्छेदोऽपरवोज्ञित इति पाठस्तु युक्त एव । अपरव आक्रोशः । विच्छेद-रिहतो निरन्तरः । अपरवरहितो निराक्रोशः । प्रत्यर्थीति । व्यधिकरणपदो बहुत्रीहिः । अपिः प्रकृतान्यसमुच्चायकः ।

उक्तपश्चिविशेषणानां व्यवस्थार्थे पूर्वावतारितवचनस्थेव द्वितीयपादमिभप्रायतो व्याख्यातुमवतर-१५ णमाह । किचिचोति । किपिश्चलाद्विकरणन्यायेन वक्ष्यमाणवाक्यकदम्बानुरोधेन चाह । त्रयाणामिति । नित्यसापेक्षत्वाद्वृत्तिः । सम्भवत्येकवाक्यत्वे इति न्यायेनाह । आगम इति । तात्पर्यार्थमाह । स पुर्वक्रमागतो भोगस्त्वत्यर्थः । आगमादित्यादेस्तात्प-र्यार्थमाह । आगमिति । शाब्दस्तु प्राग्वत् । अत्र आगमनैरपेक्ष्यं तज्ज्ञाननैरपेक्ष्यकृतं, न तु तत्सत्तानैरपेक्ष्यकृतमिति विशेषमाह । तत्रापीति । आगमनिरपेक्ष इत्यत्रापीत्पर्थः । बोद्धव्य-२० मित्यत्रान्वयः । तत्रापि कश्चिदागमोऽस्तीत्यागमसद्भावज्ञानापेक्षा न तु अयम् आगम इति रहन्न-प्राहिकतया तज्ज्ञानोपेक्षेति भावः ।

नन्वेवमपेक्षितसत्तासद्भावे किं मानमत आह । सत्ता त्विति । तेनैव विशिष्टेनोपभोगेनैव । नन्वेवमन्योन्याश्रयप्रसङ्गः । तथाहि प्रमाणभूतेन तादशभोगेनागमसत्ताऽवगितः आगमसत्ताऽवगितौ तत्सहकृतभोगस्य प्रामाण्यावधारणमिति । अत्राहुः । चिरकालोपभोगानुर्पपत्तिरूपार्थाप-२५ त्याऽऽगमसत्ताऽवगितः । तस्यामवगतायां तत्सहकृतभोगस्य प्रामाण्यनिश्रय इति साक्षात्प्रमाण-भूतेन भोगेनागमसत्ताया अनिश्रयाञ्चान्याश्रयः । तेनैवेत्यस्य तु तद्वारकार्थापतिरूपप्रमाणनेवेत्यर्थ इति नासङ्गतिः । तथा च 'आगमो ऽभ्यधिक ' इत्यत्र पाद्मदेन द्विविधभोगस्य प्रामाण्यमभिमतं सुनेः । सार्त्तकालिकः असार्त्तकालिकश्र सः । तदुभयं विभज्य योग्यतया व्यवस्थार्थमपवादविषयनिर्णयं विना नोत्सर्गविषयनिर्णय इति व्युत्क्रमेणाह । विनेति । प्रदर्श-६०

१ फ-विशुद्धागमसहित । * पू. मी. अ. ११ । पा. १ अधि. ६ । २ ख फ-आगमादेः । ३ ख फ-प्रामाण्यमिति । ४ फ-चिरकालोपभोगा उपपत्तिरूपार्थापत्ताऽगमसत्तावगतिः । ग-चिरकालो-पभोगेनागमसत्तावगतिः । आगमसत्तानुपपत्तिरूपार्थापत्याऽगमसत्तावगतिः ।

नार्थिमिति । विषयेत्यादिः । तथा सति आद्यचकारस्तर्ह्यथे । अस्य तद्पवाद्त्वे सतीति तद्र्यः । अत एव सामान्यविशेषपर्यवसानेनाह । आगम इति । द्वितीयचकारस्त्वर्थे । स्मान्तिति । सारणयोग्येत्यर्थः । असार्त्तकालिको भोग आगमज्ञाननिरपेक्षः सार्त्तकालिकस्तु आगमज्ञानसापेक्ष इति भावः ।

नन्वेकसैव भोगरूपप्रमाणस्य कचित्तत्सापेक्षत्वं कचित्रति कुतोऽवगतिमत्यतो मौलक्रमेण सान्निध्याद् व्युत्कमेण द्वितीयमेव सहेतुमाह । अत्रश्चेति । उभयोरुक्तरीत्या विषयभेदाचित्यर्थः । वस्तुतः स्मृत्यभावेऽपि तत्त्वसेष्टत्वादाह । योग्यो इति । अभावप्रत्यक्षे योग्यानुपलब्धेः कारणत्वस्य तन्नान्तरे प्रसिद्धत्वादाह । योग्यानुपति । सरणयोग्ये काले प्रतिग्रहादिरूपसागमस्य प्रमितियोग्यत्वे सत्यपि तदभावादागमाभावनिश्चयः । सिद्धे च तस्मिन्केवलभोगस्य बला
कारेणापि सम्भवेनाप्रामाण्यप्रसङ्गान्तत्सापेक्षत्वमावस्यकमिति भावः ।

अथायं तादृशमाह । अस्मार्त्तेत्वित । अस्मरणयोग्ये इत्यर्थः । एतद्विशेपणामावेऽपि विशेषणान्तरसत्ता ऽपेक्षितैवेत्याह । सन्तत इति । निरन्तर इत्यर्थः । इद्मुपळक्षणं दीर्घकाळा-देरि । योग्यत्वे सत्यनुपळिच्योग्यानुपळिच्यः । अस्मृतियोग्ये काळे प्रतिग्रहादिरूपस्य तस्य प्रमायोग्यत्वाभावादेव योग्यानुपळब्ध्यभावः । अतस्तेनागमो नास्तीति निश्चेतुं न शक्यते । अभावग्राहकप्रमायोग्यत्वाभावादेव योग्यानुपळब्धरमावात् । एवं च पूर्वत्र । तत आगमाभावनिश्चयेन यद्यपि भोगो न प्रमाणं मूळशैथिल्यात्, तथौपि प्रकृते आगमाभावनिश्चयाभावात् मूळशैथिल्यामावेन तन्निरपेक्षत्वमिति तादृशो भोगः प्रमाणमित्यर्थः ।

किया प्रमाणम् । अनुगमेति । तिर्निश्चयाभावादित्यर्थः । ये गत्यर्थास्ते ज्ञानार्था इति भावः । कमात् प्रपितामहादिक्रमेण । सार्त्तकालस्य परमाविधमाह । स्मार्तञ्चोति । अनुग-२० मस्य साकाङ्कृत्वात्तां पूरयन् प्रागुक्तैकवाक्यतायै सप्रतीकं तत्पदं व्याचष्ट । अनुगमेति । इतीत्यसार्थ इति शेषः ।

विशेषं वक्तं, विना पूर्वेत्यस्य विषयं, सविशेषमुपसंहरति । अतश्चेति । उक्तहेतोश्चेत्यर्थः । वर्षेति । अनेन दीर्घकालत्वमुक्तम् । सन्ततो निरन्तरः । अप्रांतिरवः निराक्रोशः । प्र-त्येति । प्रेत्यर्थिन इत्यादिः । मोगस्य विशेषणान्तरमाह । आगमेति । उक्तरीत्येत्यादिः । स्याक्षिप्तेति । बहुन्नीहिः । गम इति पाठः । ततश्च पश्चविशेषणमध्ये सागमत्वं स्मार्तकाल-विषयम् । अन्यचतुष्टयं तदन्यविषयमिति व्यवस्था सिद्धा । तं विशेषमेवाह । अस्मार्तेऽपीति । अत्र मानं मनुमाह । अत एवेति । तस्यां सत्यां तस्याप्रमाणत्वादेवेत्यर्थः । अन्यथाऽनाग-मोपभौगे विशेषेण दण्डविधानं मनुक्तमयुक्तं स्यादिति भावः ।

नतु ' बहून्यब्दे'त्यत्र अपिः समुचये, तथा चोक्तम्, 'अपिः सम्भावनानिवृत्त्यपेक्षासमुचय-इ॰ गर्हाशीःसमर्थभूषणप्रश्लेष्विति,' तथा च बहूर्न्यब्द्शतान्यमिव्याप्यापि य उपभुङ्के स दण्ड्य

१ क ख-अभावप्राहकप्रमाणस्य । २ क-पूर्व । ३ क-तथापि प्रकृते तुः ख-प्रकृते तु । ४ क ख फ-तिब्रियवज्ञानाभावात् । ५ ग-अर्थिनः । ६ फ-विशेषदंडविधानम् । ७ स्व ग फ-संभावनिवृत्य-पेशा... ८ ग फ-बहूनब्दशब्दशतानभिन्याप्य ।

इत्येथेनैककर्तृकानेकवर्षोपभोगे एव समुचयस सम्भवो नान्यथेत्यिपशब्दबलादुपभोक्तुरेकत्वं प्रतीयते । तथा य इत्याद्यकवचननिर्देशादि । तथा च य एकश्चिरकालमनागममुपमुङ्के स दण्ड्य इत्येकस्यैव दण्ड्यत्वं न बहूनां, पितृपरम्परायातभोगे तु भोक्तृणामनेकत्वादीहरीकेभोक्तरभावेन प्रथमस्यानागमेनोपभोक्तिरेकत्वेन तस्यैव चोरसहशदण्डो न द्वितीयादेरिति, तत्र भोगस्य प्रामाण्या-पत्त्याऽनागमस्मृतिपरम्परायां भोगो न प्रमाणमिति यदुक्तं तद्युक्तमित्याशयेन शङ्कते । न चानागमं त्विति । यद्वाऽपिशब्दः समर्थवाची, उक्तहेतोः । तथा चानागमंविरकालोपभोगे यः समर्थः स एव दण्ड्यो नान्य इत्यर्थेन प्रथमस्य समर्थत्वेन द्वितीयादेः परम्पराया-तभोगत्वे ताहशसामथ्याभावात्प्रथम एव दण्ड्य इत्याशयेनाशङ्कते । न चानागमं त्विति । प्रयोगात् प्रयोगाच । प्रथमस्य तस्यैव । इद्मैन्त्ये परम्परायातभोगविषयम् । अपिनैकमान्त्रकृतिनेकवर्षोपभोगसमुच्चयः । आद्ये त्वस्य साधारणत्वादिपना तद्वद्रस्पकालोपभोगसमुच्चयः । १००

इष्टापत्तिं निराचष्टे । न चैतिदिति । नहीत्यर्थः । कारणं किया । प्रमाणमिति यावत् । नारदेति । मध्येऽपि सागमाया एव मुक्तेः प्रामाण्यबोधकनारद्वचनादित्यर्थः । य इत्यत्रो-देश्यगतत्वेनैकत्वस्याविवक्षितत्वाचेत्यपि बोध्यम् । तथा च सर्वत्र सागमभुक्तेः प्रामाण्यमिति । द्वितीयादावि निरागमोपभोगे दण्डो दुर्निवार इत्यनागमस्मृतिपरम्परायां सत्यां भोगो नैव प्रमाणमिति सिद्धम् । तदेतदुपसंहरति । तस्मादिति । सर्वत्र आदौ मध्येऽन्ते चेत्यर्थः । १५ एवं चापिः सम्भावने, न समुचये नापि समर्थे इति । बह्रब्दशतव्यापित्वेन यस्य भोगः सम्भाव्यते स चिन्नरागमस्तर्हि तादृशोपभोगवानपि पुरुषो दण्ड्यः किमुतानागमाल्पभोगवानिति तात्पर्यार्थः ।

नन्वसरणयोग्यकालिकस्य पूर्वक्रमायातस्येव भोगसागमज्ञाननिरपेक्षस्य प्रामाण्यमिति यत्सिद्धान्तितं तद्युक्तम् । 'अन्यायेनापीति वाक्ये 'उन्यायेनापि पित्रा यद्धुक्तं तथा पूर्वतरै-२०
स्त्रिभिर्यद्धुक्तं तत्रोभयत्रापि प्रत्यपहारो न शक्य इत्युक्त्याऽनागमोपभोगस्य सरणयोग्यकालिकस्यापि प्रामाण्यप्रतितिरत्याशयेनाह । यद्ण्यन्यायेनापीति । अत्रान्यायेनापीति निरागमभोगस्य प्रामाण्यप्रतिगद्कं, पित्रेति सरणयोग्यकालिकस्रेति भावः । सार्तकालिकोपभोगस्य
तिन्नरपेक्षस्य न प्रामाण्यमिति प्रागुक्तरीत्येव परिहरति । तद्यि पित्रा सहेति । अयं भावः ।
पित्रा यद्धुक्तमिति न पृथगन्वयो, येन पित्रुपभोगस्य सार्त्तकालिकत्वेन तादृशनिरागमोपभोगस्य २५
प्रामाण्यं स्रात्त्, अपि तु सहार्थयोगे इयं तृतीया । तथा च पित्रा सह पूर्वतरपुरुषत्रयोपभोगे क्रमेणाविच्छिन्ने तादृशे जाते तत्क्षेत्रादिकं तस्माद्पहर्त्ते न शक्यमिति प्रागुक्तैकवाक्यत्या
सम्भवतीति न्यायेन चैकवाक्यत्वेऽनेकपुरुषोपभोगस्य चिरतरकालं विना ऽसम्भवेनासार्त्तकालिकोपभोगस्य प्रामाण्यमुक्तमिति न निरागमस्य स्वार्त्तकालिकोपभोगस्य प्रामाण्यमिति ।

ननु त्रिपुरुषागतिमत्यनेनानेकपुरुषोपभोगलाभेऽपि कथमसार्त्तकालोपभोगलाभोऽत आह । १० तत्रापि कमादिति । लक्षणिति भावः । शक्यार्थत्यागे बीजमाह । त्रिपुरुषेति । पात्रादि-त्वात् स्नीत्वाभावस्तत्रात्र च । एवं पूर्वकातीयेऽपि । प्रसङ्गादिति पाठः । प्रसङ्ग इति पाठे यत

१ ग-ईट्ट सभोक्तुत्वस्थाभावेन । २ क ख-प्रथमम । ३ फ-इदमंते । ख-इदं परंपरा यात...

इत्यादिः । इष्टापत्तिं निराचष्टे । तथा सतीति । नन्वस्तु अस्मार्तकालिको भोगः प्रमाणमिति, तथाऽपि तस्यागमसत्तासापेक्षत्वेनान्यायेनापीत्युक्तिः कथमत आह । अन्यायेनापीति । चस्त्वर्थे । तत्र बीजमाह । अपीति । अन्यथा तदानर्थक्यं स्पष्टमेव ।

नन्वसार्त्तकालिकी मुक्तिरागमज्ञानं नापेक्षते तत्सत्तां त्वपेक्षत एवेन्युक्तमयुक्तं, यद्विना ५ ऽऽगमिति वाक्येऽत्यन्तितित्याज्ञयेन श-क्कते । यञ्चोक्तमिति । यद्प्युक्तमित्यर्थः । अत्यन्तमुक्तमागमं विनेत्यन्यः । प्रागुक्तरीत्या परिहरति । तत्रापीति । उक्तवाक्येऽपीत्यर्थः । इति वाक्यम् । अत्यन्तम् अतिशयेन । उक्तहेतोः शेषमाह । उपेति । पुनस्त्वर्थे । आगमसक्त्पमिपि विनेत्यर्थः । व्याख्येयमित्यसा- तुषक्कः । अत्र हेतुमाह । आगमिति । यत इत्यादिः । अयं भावः । सर्वात्मना ऽऽगमज्ञान- स्थासार्तकालिकोपभोगे ऽपेक्षाया अभावादत्यन्तं सर्वात्मना आगमज्ञानं विना ऽस्मार्त्तकालिको- पभोगे सित यद्धक्तं वस्तु तद्पाहर्तुं न शक्यमित्येव वाक्यार्थो न तु वस्तुत आगमसत्तां विनाऽप्युपभोगात्स्वत्वमस्तीति, येन प्रागुक्तविरोधः स्थादिति उक्तवद्विरोधमत्रापि परिहरति । अमादिति । उक्तार्थमिति । असार्त्तकालोपलक्षकत्वेनोक्तार्थकमित्यर्थः । तित्यद्धमस्मार्तकालिक उपभोग आगमज्ञाननिरपेक्षः प्रमाणं सार्त्तकालिकस्तु तत्सापेक्षस्तथेति ।

तत्रान्त्यमाक्षिपति । निन्वति । प्रामाण्योति । प्रामाण्यं यदुक्तं तद्नुपपन्नमित्यर्थः । अनुपपत्तः रफुटतयाऽऽभासात्तामुपपाद्यति । तथा हिति । यमागममपेक्षते भोगः स किं
प्रमाणान्तरेणावगतोऽथ वा नेति विकल्पं हृदि निधायाद्ये दोषमाह् । यद्यागम इति ।
प्रमाणान्तरेण भोगान्येन प्रत्यक्षादिना । तेनैच मानान्तरावगतागमेनेव । मानान्तरावगतत्वेनानुपयुक्तत्वादाह । आगमेचेति । तथा च मानान्तरप्रमिते उभयत्र ज्ञापकत्वासम्भवेनानुत्वेनानुपयुक्तत्वादाह । आगमेचेति । तथा च मानान्तरप्रमिते उभयत्र ज्ञापकत्वासम्भवेनानुत्वाद्यक्त्वेन चाप्रामाण्यात्तरापेक्षो भोगः प्रमाणमिति दुर्वचमिति भावः । द्वितीये दोषमाह ।
अथेति । अनवगतागमेन वैशिष्ट्यासम्भवादिति भावः । प्रथमपक्षाद्रेऽपि कालविशेषे तदुपयोग
इत्याह । प्रमाणान्तरेणेति । मानान्तरेणैवागमावगमो यद्यपि तथापि तादृशागमविशिष्ट एव
भोगः प्रतिग्रहाद्युत्तरभाविनि कालान्तरेऽपि स्वत्वबोधक इति भावः ।

नतु तथाऽवगतागमेनैव खत्वावबोधे किं भोगेनेत्युक्तमेवात आह । अवगतोऽप्येति । अअलं समर्थः । उपसंहरति । इतीति । कुत इत्यत आह । मध्ये इति ।

अव्यवहितसङ्गितिमाह । आगमेति । प्रमाणमित्यस्य स्थादिति शेषः । स्तोकाऽपीत्यस्य व्याख्या स्वल्पापीति । बळिमित्यस्य व्याख्या सम्पूर्णमिति । ननु अस्थोदाहरणं किमत आह । अयि मिति । द्वितीयचस्त्वर्थे । तत्र तेषां मध्ये । सिविकल्पेति । स तु स्वीकारो मदीयमेतदित्याद्य-मिवदनविषयकसाजन्यो वा सविकल्पकज्ञानरूप इत्यर्थः । यद्वा स इति भिन्नं पदं, वाचिकस्तु स स्वीकारो यस्ताद्दशस्मविकल्पात्मकज्ञानरूप इत्यर्थः । पुनः तु । तत्र च उक्तरूपकायिकस्वीकारे च । करे शुण्डादण्डे । दापयेत् दद्यात् । सार्थे णिच् । निवृत्तप्रेषणादिति प्रकारो वा ।

अनुमन्त्रयेतेति । प्रतिप्राह्मो यदा प्राणी बलवान् वक्तं समर्थस्तदा तं प्रतिप्राह्मं प्रति-ग्रहीता अनुमन्नयेत, अमुक त्वं मदीयोऽसीति, सोऽपि न्रूयादहं भवदीयोऽसीति । यदा प्रतिग्राह्ममप्राणि अभिवदनानभिज्ञं गवादि प्राणिष्वपि कन्या च, तदुभयं प्रतिग्रहीताऽभिमृशेत् स्पृशेदुक्तस्थले इत्यर्थः । प्रकृतमाह । तत्रेति । तेषां मध्ये इत्यर्थः । पुनः तु । तत्सहिता-दिति । कायिकस्वीकारसहितागमापेक्षयेत्यर्थः ।

ननूपभोगसिहतागमापेक्षयोपभोगरिहतस्थागमस्य दुर्बलत्वे यत्रैकमेव क्षेत्रमेकस्थाधीकृत्य पुनर-न्यस्थाप्याधीकरोति तत्र यदि दैवात् पूर्वस्य भोगाभाव उत्तरस्य तु भोगोऽस्ति तत्रापि भोगरिह-५ तागमस्य दौर्बल्यं स्थात्तथा चाधौ प्रतिग्रहे इति वचनिवरोधः स्थादत आह । एतच्चेति । सिद्धान्तितमुक्तरूपमित्यर्थः । इतीत्यस्य बोध्यमिति शेषः ।

यद्यागमोऽभ्यधिक इत्यस्य पूर्वमीषद्यविद्यसंगत्या व्याख्यानं कृतं, तथाऽपि तन्न युक्तं, व्याख्याकृदुक्तार्थसङ्गतिलाभेऽपि मूलसङ्गत्यलाभात् । किं च प्रतिपादितार्थस्य तात्पर्यविषयतया यथाकथित्रत्य योजनेऽप्यशाब्दत्वेन स्वारस्थानावहत्वात् । अतस्तत्प्रकारान्तरेण ततोऽपि व्यव-११ हितसङ्गत्या शब्दमर्याद्या व्याचष्टे । अथवेति । समवाये इति । एतेषां लिखितादीनां समवाये मेलने इत्यर्थः । सर्वेषां सम्भवे इति यावत् । इदमर्थमाह । आगम इति । प्राग्वत् द्वितीयपादार्थमाह । पूर्वेति । पूर्वक्रमायातभोगान्यभोगापेक्षयाऽऽगमो बलवानित्यर्थः । पूर्वक्रमागतभोगस्य विजातीयागमापेक्षया किचित् बलवन्त्वम् । तत्तात्पर्यविषयमाह । स पुनिरिति । स त्वित्यर्थः । अत एव वचनेऽन्यथाक्रमसत्त्वेऽपि अत्रानुवादेऽन्यथा पठितम् एतद्वचनक्रमेण १५ द्वितीयार्धे तात्पर्यतो व्याचष्टे । मध्यमेत्विति । अपिबहुभोगसहितपरिम्राहकः । प्रतियोग्य-न्तरामावेन स्वापेक्षया केवलैमस्याः प्राबल्यासम्भवेन च योग्यतया ऽभुक्तितो भुक्तेः प्राबल्यमनेन बोध्यत इति भावः । पूर्वार्धमेव समवायविषयमिति तात्पर्यम् । इति व्याख्यानसमाप्तौ ।

अत्र मानमाह । एतदेवेति । एतेन प्रागुक्तव्यवच्छेदः । चतुर्थपुरुषविषयमाह । कारणं भुक्तिरिति । एवेन प्रागुक्तागमव्यवच्छेदः । सन्तता निरन्तरा । चिरन्तनी दीर्घकाला । ३० चिरन्तनेति पाठे आर्षत्वाद्वापु ॥ २० ॥

## याज्ञवल्कीये २८ श्लोकः

१ । तस्य तत्सङ्गतत्वादेव तेन उत्तरसङ्गतिमाह । परयत इति । उक्तमिति । सिद्धान्तमतेनेति भावः । तत्र तथा सति । अन्वये दृष्टान्तः । दृर्शियतुम् अनेनेव तात्पर्यतः प्रतिपादयितुम् । अयं भावः । आद्येन पुरुषेण प्रतिप्रहादिकमेवोपन्यसनीयं द्वितीयेनाविन्छिन्नाप्रतिरव-३५
समक्षत्वादिविशेषणविशिष्टो भोग एवोपन्यसनीयः तृतीयेन समक्षत्वादिविशेषणवैशिष्ट्यं विनाऽपि
कमागतभोगमात्रमुपन्यसनीयमिति नियमस्यानेन विधेर्नियमातिक्रमे दृण्डविधानमप्यर्थसिद्धमेवेति
दण्डव्यवस्थाप्रतिपादकत्वमुपपन्नमेव । एतेनात्र वचने दण्डव्यवस्थाविध्यभावादिद्मयुक्तमित्यपास्तमिति ।

स्वीकार इति । प्रतिग्रहादिनेति भावः । अभियुक्तः परेण । क्षेत्रादिकमिति पाठः । तथा ३० च प्रतिग्रहादेरिति तस्योत्तरमुक्त्वा तथा कार्यमिति भावः । 'प्रतिग्रहादेरितीति' पाठे

१ क-नेवलस्यस्य ।

इत्युक्त्वा तमागममर्थात् प्रतिप्रहादिकमित्यर्थः । यथाश्रुतार्थासम्मवादाह । भावयेदिति । प्रतिपादयेदित्यर्थः । अङ्गीकारयेदिति वा । अस तात्पर्यार्थमाह । अनेन चेति ।

'न तत्सुत ' इत्यंशं शेषपूरणेन सानुषङ्गण व्याचिष्ट । तत्सुत इति । अत्र प्रागुक्तिवि-शेषणचतुष्टयमध्ये दीर्घकालत्वमग्रे, तिद्धन्नमत्रेत्याह । अविच्छिन्नेति । भोगिमिति । उद्धरे-, दित्यसानुषङ्गः । एवमग्रेऽपि । विशिष्टं भोगं स्रोक्तम् । तत्सुतो वेत्यत्र वा चार्थे इत्याशयेन तमंशं व्याचष्टे । तत्सुत इति । वा अप्यर्थे इति, नापि विशिष्टमिति । विशिष्टभोगानुद्धरणे चेति पाठः ।

तुर्यपादमव्यवहितोभयशेषत्वेन व्याचिष्ट । तत्रोति । अस्य व्याख्या तयोशिति । तत्रा-पीति । तद्याख्या द्वितीयेति । भर्वे वाक्यमिति न्यायेनाह । भुक्तिरेवेति । प्रकर्षस्य श्रुतियोगिसापेक्षत्वेन तत्स्वारस्थेन ठन्धमाह । तत्रापीति । तयोर्मध्येऽपीत्यर्थः । परमतात्पर्यमाह । त्रिष्वपीति । अस्य पूर्वतः स्वरसतो ठन्धत्वादत्र मानमाह । उक्तं चेति । पादत्रयस्थोक्त एवार्थः । भोग्येति । अर्थहानिस्तदनुद्धरणे द्वितीयनृतीययोरपीत्यर्थः । अपिनाऽऽचस्य समुच्चयः ॥ २८ ॥

#### याज्ञवल्कीये २९ श्लोकः

। सङ्गितिमाह । अस्मार्तेति । पुनः तु । यद्र्थमाह । आहर्त्रादिरिति । आहर्त्रादिभि-रभीति पाटः । अभियोगनिमित्तस्चनायाहर्त्तुरुपादानं, तदसम्भवात् आदिना तत्पुत्रादिग्रहणम्। आर्थिकमाह । अकृतेति । परेत इत्यस परिमत इति । व्युत्पत्तिलभ्यमर्थमाह । परलोकिमिति । तदः प्रकृतबुद्धिस्थपरामर्शित्वादाह । आगमिति । अत्रोत्तरार्द्धे हेतुरिति, यसादिति शेषेण व्याच्छे । यस्मादिति । तत्रेत्यस्य व्याख्या तसिन्नित्यादि । आगमेन विनेत्यस्य व्याख्या ऽऽगमेति । कृतेत्यस्य व्याख्या साक्ष्यादीति । न प्रमाणिमिति । अत इति शेषः । यसादित्यसार्थमाह । पूर्वेति । एवं चात्रागमज्ञानसापेक्षस्य तस्य प्रामाण्यमिति भावः ।

नवीं ऽऽरुदेति । आरूढिविवादस्य प्राप्तविवादस्य व्यवहारिणः प्रेतस्य मृतस्य सम्बन्धिना पुत्रेण सोऽर्थो विवादास्पदीमृतः संशोध्यः आगमेन संसाध्यो यतस्तमंथ भोगो न निवर्तयेत् प्रत्यावर्त्तयेत् । भोगस्तत्र प्रमाणं न भवतीति यावदित्यर्थः ॥ २९ ॥

### याज्ञवल्कीये ३० श्लोकः

। अव्यवहितेन सङ्गितमाह । अनिर्णातिति । निवर्तते संसाध्यत इति पाठान्तरम् तेनै नापगच्छित प्रवर्तत एवेत्यर्थः । व्यवेति । पुनिरत्यादिः कवित्तथा पाठ एव । अथ चार्थे । वृपेणाधिकृता इति भिन्नमित्याशयेन वाक्यार्थज्ञानोपयोगितया आदौ पदार्थानाह । नृपेणोति । प्रकृतयोग्यतया ऽऽह । व्यवेति । ते के इत्यत आह । राक्कोति । आकाङ्काशान्तये ऽसाङ्क- वर्णय चाह । भिन्नोति । नानेति । उभयोः सङ्घाता इत्यत्रान्वयः । इद्मुभयं खरूपकीर्त्त- निमिति सूचयन् आवश्यकम् उभयशेषमाह । एकजातीयेति । तत्राद्योदाहरणं, हेडेति ।

१ तच्छब्दस्य । २ क-बथाऽऽरूढेति । तथाशब्दः पूर्वसमुचये । ३ फ='न निवर्तत' इति पाठे ।

देशादेशातरं गत्वा प्रस्थाप्य वा ऽश्वविकेतारो हेडाबुकीः । गुर्जरदेशे प्रसिद्धोऽयम् तत्र शब्दः । हितीयोदाहरणं ताम्बूछिकेति । तिहिकेतेत्यर्थः । कुविन्दस्तन्तुवायः । आदिना तक्षादयः । सङ्घाता इत्यस्वानुषङ्गः । सम्बन्धी जामात्रादिः ।

मूले अथराब्दश्रार्थे । अथ वाक्यार्थमाह । एतेषामिति । चतुर्णो मध्ये इति शेषः । पूर्वत्वं न कारणत्वादिकृतं किन्तु पाठकृतमित्याह । यद्यत्पूर्वं पिठतमिति । कुन्नेत्याह । न्यामिति । प्रकृतयोग्यत्वादाह । व्यवेति । योग्यतया व्यवहारशब्दो दर्शनपरः । कर्मकि-प्रत्ययान्तो विधिशब्द इत्याह । व्यवहारेति ।

अवतरणोक्तं स्पष्टियतुं तात्पर्यार्थमाह । एतिदिति । कुदृष्टेत्यनेन वास्तवासन्तोषनीजनिरासः जातव्यवहारस्य यथार्थत्वं च सूचितम् । व्युत्क्रमेण व्यतिरेकमाह । कुलेति ।

। विशेषं खल्पमाह । नारदेति । पुनः तु । यद्यप्यत्र गणा इति पठितं, मूले च पूगा-१० इति, अस्ति च तयोर्भेदः; तत्र पूगखरूपमुक्तं सर्वेषां हीनवर्णानां सङ्घातो गणः अत एव पूग- श्रेणिगणादीनामिति प्राक् उक्तं, तथापि तत्स्थाने मुनिद्धयप्रामाण्यादुभयोर्विकल्पेन ग्रहणम्, अत एव चतुर्णामिति व्याख्याकृदुक्तिसङ्गतिः । यद्वा गणाश्चेति चेन तद्ये पूगानां समुचयः । मूले ऽथशाव्दस्य चार्थस्य पूगा इत्यत्रान्वयेन तद्ये तेन तेषां समुचय इति एकवाक्यतेष, नारदेन पुनिरत्यादि वदता व्याख्याकृता प्रागुक्तचतुष्टयं नाभिमतमिति सूचितमेविति बोध्यम् । नृप इति १८ पाठः । प्रतिष्ठा इति । व्यवहारदर्शनानां स्थानानीत्यर्थः ।

। तथा सित विशेषमाह । तत्र चेति । तेषां मध्ये इत्यर्थः । सोत्तरेति । सभायां साधुः सम्यः उत्तरश्चासौ सम्यश्च तत्सिहतेनेत्यर्थः । पूर्वसम्यतो भिन्नोत्कृष्टसम्ययुक्तेनेति यावत् । सपण इति । उभयकारितपणसिहते इत्यर्थः । अयमेव पूगाद्यर्थः पूर्वत्रापि ज्ञेयः॥३०॥

## याज्ञवल्कीये ३१ श्लोकः

उपसंहरन्नव्यवहितसङ्गितमाह । दुर्बलैरिति । कश्चित् न सर्वः । बलं चोपाधिश्च ताभ्यां विनिर्वृत्तानिति व्युत्पत्तराह । बलंनेति । उपधीति पाठान्तरम् । शतुशब्दान्तद्वन्द्वे कृतशब्देन शेषषष्ठ्या समासे आद्यन्तयोस्तत्र कर्तृत्वेनान्वये मध्यमानामधिकरणत्वेन फलतीत्याह । तथा स्त्रीभिरिति । अपौनरुत्तयायाह । अस्त्रीभिरपीति । मध्ये इत्यर्थकान्तरशब्देन षष्ठीसमासे राजर्देन्तादित्वात्परनिपात इत्याह । गृहाभ्यन्तरे इति । तथाऽर्थमाह । चेति । कृतांश्चेत्यर्थः। अम्यमणिन्यायेनान्वयादाह । निवर्तेति ॥ ३१ ॥

## याज्ञवल्कीये ३२ श्लोकः

अपि चेति । अन्योऽपि कश्चित्तादशो व्यवहारो निवर्त्तत इत्याहेत्यर्थः । वाक्यार्थबोधायादौ पदार्थानाह । मत्त इत्यादि । आर्तादिभीतान्तद्वन्द्वं कृत्वा पुनस्तेन मत्तोन्मत्ताभ्यां कृत्वा बहु-

१ ख ग फ=हेडावुका: । २ ख ग=प्रकृतत्वादाह । ३ "उपसर्गे घो: िकः" (व्या. स. ३।३।९२) ४ राजदन्तादिषु परम् (व्या स. २-२-३१)

त्रीहितत्पुरुषो कार्यो । करणेऽनीर्येर् । पञ्चिविधेनेत्यस व्याख्या वातेति । सम्भवेनेति । यहान्तपञ्चकजन्येनेत्यर्थः । कारणभेदेन कार्यभेदात्तस्य पञ्चिविधत्वम् । जिनितिमिति । एतद्-न्यतरजनितिमित्यर्थः । व्यवेति । न तु स्तनन्धयादिरेवेति भावः । राष्ट्रादीत्यादिपद्याह्यं वचने एव स्फुटम् । पुरेति । पुरविरुद्धो राष्ट्रविरुद्धश्रेत्यर्थः । यः एवं स वादस्तैरनादेय उदाहृतः कथितो भवेदित्युत्तरार्घार्थः । एवं च तस्यार्थिकी निवृत्तिवीध्या ।

वाक्यार्थमाह । पतेरिति । असम्बद्धकृत इत्यंशमनियुक्तपदाध्याहारेण व्याचष्टे । अतियु-कासम्बद्धित । अनियुक्तत्वेनाप्रेषितत्वेन प्रकृतव्यवहारासम्बद्धो यस्तत्कृत इत्यर्थः । चार्थ-माह । अपीति । इतिरर्थसमासौ ।

नतु मत्तादिकृतव्यवहारो न सिध्यतीत्यत्र मत्तादिग्रहणमुपलक्षणं न वा? आद्यंऽन्यकृतव्यव-१० हारासिद्धेरिप संग्रह इति न स्मृत्यन्तरिवरोध इति फलं यद्यपि, तथाप्येवकारासङ्गतिः । द्वितीये एवकारबलेनास्य नियामकत्वलाभेनैवकारसङ्गतिरूपफलसत्त्वेऽिप वचनान्तरिवरोध इति संशये श्रुतैवकारबलेनाद्यस दुर्वचत्वेन द्वितीयमेव वाच्यम् । यद्यप्याद्येऽप्यादिश्रुतिरस्ति तथापि सर्वथा ऽनन्यगतिकसंग्रहेणेव तत्साफल्ये सगतिकसङ्गहो नेति तात्पर्यार्थः । तथा सति वचनान्तरिवरो-धस्तेनान्यकृतव्यवहारसासिद्धिप्रतिपादनेन नियमस दुर्वचत्वादित्याशयेन शङ्कते ।

- पत्विति । विरोधे इति पूर्वान्विय । मिथ इत्युत्तरान्विय । 'गुरोः शिष्ये विरोधेवि' त्यादौ सित तेषां गुरुशिष्यादीनां मिथो व्यवहारो न सिध्यतीत्यर्थः । अपिनेतज्जातीयस्मृत्यन्तरसमु
  चयः । त्वर्थे वा सः । आत्यन्तिकत्वं प्रतिषेधिवशेषणम् । कथंचित् केनचित्प्रकारिवशेषेण ।
  तथा च तत्र चार्थस्तुः सिध्यतीत्यग्रे योज्यः । तेन सिद्धिसमुच्चयः । तयोर्व्यवस्था तु वक्ष्यमाणप्रकारेण । यद्वा तुर्मिथ इत्यग्रे योज्यः । मिथस्तु मिथ एव न सिध्यति किं तु व्यवहार
  विशिमिः सिध्यतीत्यर्थः । यद्वा एतद्वेलक्षण्यस्चकस्तुर्यथाश्रुत एव । तथा च मृत्यवाक्यस्थेवकारस्

  न सिध्यतीत्यग्रे योजनं कृत्वा मत्तादिकृतो व्यवहारः सर्वात्मना न सिध्यत्येवत्यर्थः । अयं तूर्क्तरीत्या कृतः सिध्यत्यन्यथा नेति । यद्वा यथाश्रुत एव सः । तदन्तं चावृत्त्या भिन्नं वाक्यम् ।

  यद्यपि वक्ष्यमाणरीत्या न सिध्यति तथापि प्रबलविरोधपूर्वकदुराग्रहे तु सिध्यत्येवत्यर्थः इति न
  कोऽपि दोष इति भावः ।
- नन्वयोग्यत्वादेतेषां व्यवहार एव नोचितोऽसम्भवश्च तसातस्तमुपपादयति । तथाहीति । तत्र तावत् गुरुशिष्ययोर्व्यवहारस्थलमाह । शिष्येति । स्मृतिव्यपेतमार्गप्रदर्शनाय हेतुद्वयमिदम् । शिष्यस्य शिष्टिः शिक्षा अवधेन अताडनेन । अशक्तो तथा कर्तुं शक्यते न चेत्तदा स्क्ष्मेण रज्जुखण्डेन वेणुखण्डेन च तिन्छक्षा कार्या । अन्येन उक्तभिन्नेन स्थूलेन वेणुखण्डेन च मन् ताडयन् गुरू राज्ञा शास्यः शिक्षणीय इत्यर्थः । यदीत्यनेनान्यथा व्यवश्वः हारपदत्वाभावः स्चितः । एवमग्रेऽपि । पितापुत्रयोस्तदाह । तथेति । 'भूर्या पितामहोपात्ता निवन्धो द्रव्यमेव वा । तत्र सात्सदृशं स्वाम्यं पितुः पुत्रस्य चैवहि' ॥ इति वक्ष्यमाणमूलवचनादित्यर्थः । साम्ये हेतुरयम् । समाने सतीति शेषः । धर्मेति धर्मनिर्णयस्थानमित्यर्थः ।

१ ''तन्यत्तन्यानीयरः'' (न्या. स्. ३-१=९६), कृत्याः प्राङ्ण्वुलः (न्या. स्. ३-१=९५), कृत्यन्युटोबदुलम् (न्या. स्. ३-३-१३)

दम्पत्योस्तदाह । तथेति । सम्प्रतीति । सर्वस्तहरणं कृत्वा दुर्गादौ परबलैर्निरोधकरणं सम्प्रतिरोधकम् । नाकाम इति । प्रागुक्तस्थलान्यतमे गृहीतं स्त्रीधनं पुनस्तस्थै दातुमनि-च्छुश्चेन्न दद्यादित्यर्थः । व्यतिरेके हेतुरयम् । 'विद्यमाने'त्यादिविशेषणद्वयेन तद्भावे तद्भावः स्चितः । अपिर्मिथःसमुचये ।

दासभेदा वक्ष्यन्ते भक्तदासगर्भदासादयः। तत्राचे तयोस्तदाह। तथेति। भक्तमत्रं 'भक्त-भ मन्घोऽन्नमिति'' अमरः (२-९-४८)। द्वितीये तयोस्तदाह। गर्भेति। 'अयं द्विविघ' इत्यन्यत्र स्पष्टम्। 'स्नामिना सहे'त्यग्रेतनेनान्ययः। यश्चेषामिति। एषां गर्भदासादीनां मध्ये यः कश्चिदित्यर्थः। विमुच्येत गोचनीयः। लभेत प्रापयेत्। अन्तर्भावितण्यर्थः। तत्तसाद्दासत्वात्।

नन्वेवं तस्य का गतिरत आह । तस्मादिति । प्रथमित्युक्तिस्वारसादाह । अत्यन्तेति । अश्रेयस्करत्वे कोधादिनेष्टापत्त्यङ्गीकारे त्वित्यर्थः । एवमन्यविरोधं परिहरति । व्यद्ध्येकस्येति । 'वाद' इत्यस्य त्रिभिरन्वयः प्रागुक्तैकवाक्यतया। तत्राद्यसार्थमाह । तत्रे केति । तेषां त्रयाणां मध्ये इत्यर्थः । अपिना अनेकसमुच्चयः । 'एकार्थैरि'त्यिभिमेणान्वयः । गणेति । सर्वस्वहरणं कृत्वा तं राष्ट्राद्विप्रवासयेदित्युक्तरार्धे । व्यवहारद्रष्टेति शेषः ।

स्मृत्यंतरमाह । तथिति । एकमिति । 'यथोक्ताद्विगुणो दम' इति वचनशेषः । गणद्रव्य-हायीदेः सर्वस्वहरणादिविधानं एकहंतॄणां बहूनां च द्विगुणदंडविधानं स्मृतावुक्तं । इद्मुभय- १५ मि व्यवहारमुखेन तादृशापराधवतामेव भवतीति व्यवहारोऽस्तीति भावः । प्रागुक्तमेव विशे-षणमाह । एकाथैरिति । अत एवोक्तनारदाभिप्रायमाह । भिन्नाथैरिति । प्रागुक्तयुक्ते-राह । युगपदिति । किं त्वीदृशस्थठे क्रमात्सिध्यतीति भावः ।

द्वितीयतात्पर्य प्रागुक्तमाह । स्त्रीणामिति । इति व्याख्येयमित्यत्रान्वयः । 'गोपैशौण्डिके'-त्यत्रवक्ष्यमाणयुक्तिराह । गोपेति । तत्रापि विशेषं स्चयन् हेतुमाह । पतिष्विति । तथा २० च तद्भावे तत्रापि व्यवहार उपादेय इति भावः । अयं च तस्याः पत्या साकं न किं त्वन्येनेति बोध्यं । एवमग्रेऽपि । तृतीयतात्पर्यमाह । प्रेष्येति । इति योजनीयमित्यग्रिमेणान्वयः । स्वार्थेति । मृत्यार्थेत्यर्थः । अपिना तदर्थव्यवहारसमुचयः । तस्मादुक्त एव आशय इति न कोऽपि दोष इति तत्वं ॥ ३२ ॥

## याज्ञवल्कीये ३३ श्लोकः

प्रसङ्गसङ्गितिमाह । परिति । 'प्रनष्टिति' कर्मधारयो न तु पश्चमीसमास इत्याह । प्रनष्टमिति । धनमित्यसार्थमाह । हिरण्यादीति । 'शौल्किकेति' द्वन्द्रं कृत्वा बहुव्रीहिः कार्यः । असमपिणे तेषां दण्डसत्वादाह । राज्ञे इति । उत्तरार्द्धसूचितमार्थिकं पूर्वशेषमाह । यदीति । उत्तरार्द्धार्थं कथयन् चेद्र्थमाह । यदीति । लिङ्थोंऽविवक्षित इत्याह । भावयतीति । तत्स्ममं । प्रनष्टिभगतद्रव्यसमं । पूर्वे 'मदीयमेतदिति' निवेद्य पश्चाद्यदि न साधयति तदा स इव् दंड्य इत्यर्थः ।

१ मिताक्षरा ए. २५ पं. २९. २ ख ग-गौप। ३ क ख ग-योज्ये सिमिणान्वयः। ४ ग-तत् संप्रनष्टािषगत।

तदेव ध्वनयन्नाह । असत्येति । ननु प्रनष्टाधिगतस्य परकीयत्वेनादेयत्वादेयमित्युपदेशो व्यर्थ एवात आह । अधिगमस्येति । द्रव्यनाशानंतरं तद्रुव्ध्या स्वामिनो देशांतरगमने विशेषमाह । अत्र चेति । प्रनष्टाधिगतस्य प्रतिदानविषये इत्यर्थः । अत्र 'सर्वत्र प्रनष्टित' दंत्यैपाठः । नशेरिति ति ति तिवेषधात् । तदेवमूलोक्तमाह । शौलिककोरिति । ग्रुल्कं गृह्णंति ते सशौलिककाः । स्थानपालास्तन्मात्ररक्षकाः । नष्टेति । नष्टं सद्धिगतं राज्ञे समर्पितमित्यर्थः । यद्वा नष्टमपहृतं चाधिगत्य राज्ञे समर्पितमित्यर्थः ।

अत्र विशेषमाह । मनुना पुनरिति ॥ मनुना त्वित्यर्थः । मनुमेवाह । प्रनष्टिति । स्वामिनः सकाशात्प्रनष्टं प्रनष्टस्वामिकं । 'राजदंतादि' सार्थे कः । अत एव पूर्वेकवाक्यतो- त्तरार्द्धसंगतिश्चेति भावः ॥ यद्वा उक्तरीत्या तदनंतरं देशांतरगतस्वामिकमिति यथाश्रुत एवार्थः । १० दितं नष्टं च लभ्यत' इतिवत्प्रयोग इति न कोऽपि दोषः । रिक्थं द्रव्यमिति पाठांतरं ।

एवं सित प्रसक्तिविरोधपरिहाराय व्यवस्थां कथयन्नादौ मनुतात्पर्यमाह । तत्रेति । तथा सितीत्पर्थः । अवस्यिमिति । तन्मध्ये व्ययं न कुर्योदित्यर्थः । निधापयेदित्युक्तिस्वारसा-दितिभावः।तत्र तावत्पर्यतं रक्षणीये तिसन् सित । मूलतात्पर्यमाह । यदीति । पुनस्त्वर्थे।अत्र मानमाह । यथाहेति । अस पक्षत्रयस्य व्यवस्थां कथितुमादौ मूलोक्तमेवाह । तत्रेति । तेषां- भमध्ये इत्यर्थः। अन्यथा तदानर्थन्यं स्पष्टमेव। द्वादन्तं भागिमि त्यादे पृहीत्वे त्यादिना अन्वयः।

अग्रे विशेषमाह। चतुर्थादिष्विति । षिढिति भिन्ने पदं रुक्षणया पष्टपरं साहचर्यादित्याह । षष्टिमिति । अत एव विशेषमाह । राजभागिति । दातव्यः । 'द्वादशभागिम'त्यादे 'र्गृहीत्वे'-त्यादिनाऽन्वयः । एतेनाद्यद्वितीयतृतीयवर्षाभिप्रायं पक्षत्रयमित्यपास्तं । अत एव तत्र व्यु-त्कमोक्तिरिप संगताऽथेत्युक्तिश्च । अन्यथा तदसंगितः स्पष्टेव । अत एव च गौतभैकवाक्य-२०ताऽपि । प्रांचिवशेषो द्वितीयादौ नत्वाद्ये । तत्र राजभागस्वेवाभावात् ।

एतद्रथमेवैवमुक्तं ॥ अन्यथा चतुर्थाश इत्येव वदेत् । राजभागसंविधिचतुर्थाशदानमित्यर्थे तु 'आद्दीताथ षड्भागिम'ति वचनविरोधः सात् । तथा च प्रनष्टाधिगतं द्रव्यं यः शौलिक-कादी राज्ञे समर्पयति तस्मे राज्ञो यो भागः षष्टादिरूपस्तचतुर्थाशस्तत्तुत्य उद्धृतषष्टादिभागा-द्रनाद्वशिष्टाद्दातव्यो दापनीयो नतु राज्ञोंऽशात्तद्विरोधापत्तिरत्यर्थो बोध्यः ।

- अत्र विशेषमाह । स्वाम्यनेति । अधिगंत्रे शौलिककप्रभृतये । अत्र सर्वत्र मानमाह । यथाहेति । प्रनष्टेति । पूर्ववत् 'ऊर्द्भमिषगंतुरिति' 'संवत्सरादिति' शेषः । तथा च संवत्सरानंतरं स्वामिन्यागतेऽनागते वाऽधिगंतुश्चतुर्थौऽशो भवति शेषं राज्ञो भवतीत्यर्थः । तत्राधि-गंत्रे चतुर्थोशदाने इयान् भेदः । स्वामिन्यागते प्रागुक्तरीत्या राज्ञः षष्ठाचं समुद्भृत्यावशिष्टधना-द्राज्ञोभागश्चतुर्थोशसमभागो देयः । अनागते तु तस्मिन् सर्वस्य धनस्य चतुर्थोशो देय इति ।
- १९ एवं 'राज्ञः शेषािम'त्यत्रापि । तसिन्नागते पूर्वीक्तरीत्या षष्टादिभागरूपं । अनागते तु तसिन् सर्वधनं दक्तचतुर्थोशकािति भेदो बोध्यः । एवं च राज्ञ इत्यस्य मध्यमणिन्यायेनान्वयो

१ क ग-विशेष आह । २ फ-इलं पाठः । ३ ख-नाशरिति ।

बोध्यः । मनुतात्पर्यविरोधं परिहरति । अत्रेति । गौतमीये इत्यर्थः । उद्देशविशेषण-त्वादिति भावः । तथा सत्यनतिप्रसंगाय तन्मूलं तदुक्तभेव हेतुमाह । राजेति ।

नन्वेवं सर्ववचनानां व्यवस्थायां पादत्रयार्थलाभेऽपि मनुम्लयोस्तुर्यपदार्थस्य निर्विषयत्वा-पत्तिरेव चतुर्थादिष्वपि अवशिष्टदानस्य स्वामिने प्रतिपादितत्वादित्यत आह् । हरेतेति । अपिना मनूक्ततुर्यपादसमुच्यः । यद्यप्यत्र 'संवत्सरादि'ति प्रक्रांतं तथाप्युक्तरीत्या मन्वेकवाक्य-५ तथैवाहः । ज्यब्दादिति । तथा चात्र 'परत' इत्यत्र 'ज्यब्दादिति' शेषो बोध्यः ।

ननु व्ययीकैरणानंतरं तदागमने कथं प्रागुक्ततद्दानसंभवोऽत आह । आगते त्विति । अवतार्य पृथकृत्य अविशिष्टं तिसन् प्रक्षिप्य तत्समं तत्तुल्यं । तथा च राजा खांशं षष्टाद्यंशं तथा कृत्वा तत्समं यावद्धिगंतृहस्ताद्गृहीतं तत्संख्याकं खामिने दद्यादित्यर्थः ।

तत्रापि न तज्जन्यवृद्धिं दद्यादिपि तु मूलमात्रमेव। 'हरेत परत' इत्यनेन व्ययवत् व्यवहारसा-१० नुज्ञानात्। तथा च व्ययीकरणे व्यवहारे सित वृद्धिद्रव्येण तत्समत्वं तदभावे स्वांशप्रक्षेपेण ततोऽप्यपूतौं तत्समत्वं स्वकोशद्रव्येण एवमपि न त्वधिगंत्रे यश्चतुर्थोशो दत्तस्तद्रहणेनापि तस्मै मृतिरूपेण दत्तत्वात् भृतिरूपसाप्यादाने कालांतरे प्रनष्टाधिगतप्रत्यप्णादिकं न स्यात्। 'स्वांश-मवतार्येति' विशेषोक्तेश्चेति बोध्यं।

विशेषमाह । एतचिति । अत एव प्राक् तथैव व्याख्यानं । संकोचे मानमाह । गवा-१५ दीति । मूलकृदेवेतिभावः ॥ ३३ ॥

अव्यवहितसंगतिप्रसंगरूपमाह । रथ्येति । इदं नष्टपद्व्याख्यानं । एतेन प्राक्तनप्रनष्ट-पदमपि व्याख्यातं ।

## याज्ञवल्कीये ३४।३५ श्लोकौ

एवं उक्तप्रकारेण उक्तिति । भूमो चिरनिखातं । सुवर्णादीत्यर्थः । तुर्यपादबलात् २० द्विजपदं ब्राह्मणपरमित्याह । ब्राह्मणभ्य इति । एवमभेऽपि । फलितमाह । शोषिमिति । पुनःशब्दार्थमाह । त्विति । विद्वानित्यस्य व्यास्या । श्वृतेति । न केवलं अपितु मन्वादिस्मृत्यं-तरादेरिदमुपलक्षणमित्याह । सदेति ॥ ३४ ॥

पुनः शब्दानुषंगेण द्वितीयपद्यार्थमाह । इतरण त्विति । इतरत्वमुभयापेक्षमित्याह । राजेति । शेषपूरणेन व्याचष्टे । अधिगंत्रे इति । यद्यप्यषष्ठांशमिति छेदेन वाक्यपूर्तिः १५ सिद्धा तथाप्युपक्रमे वासिष्ठे च 'दद्यादि'त्युक्तया दानषष्ठांशैंत्वसैवेष्टत्वेनात्रार्थिकत्वेन तद्वि-रोधापत्तेः । शेषपूरणापत्तेः विद्वद्विप्रविषये सर्वसेति हेत्कत्याऽन्यविषये राज्ञः प्रभुत्वसूचनेन तत्रापि तदाहरणसार्थसिद्धत्वेन विध्यनुपयोगात् । अत एव 'अनिवेदिते'त्यनेन विष्रसापि वैपरीत्योक्तः । अत एव च दानपूर्वकाहरणसैव विवक्षितत्वेन तद्वांभापत्तेश्च ।

अत एवोपकमवाक्यं तथा व्याख्यातं । 'अत इति' 'अण इति' स्त्रादिभाष्यसिद्धांतम्लकेन ३०

१ फ-यई करणानन्तरं । २ फ-तत्कृत्वा । ३ अयं पाठः लिखितपुस्तकेष्वप्राप्तोऽपि समीचीनः । ४ ख-दान शब्दात्तस्थेवेष्टत्वेनात्राप्येकत्वे तद्विरोधपत्ते । ५ ख ग-तदीयलाभापत्तेश्च ।

'प्रविश पिंडीमि'त्यादिवद्वाक्यैकदेशन्यायेन नञा विना द्वितीयपादस्य शाब्दमर्थमाह । राजेति ॥ यथाश्रुतार्थत्यागेन तथा व्याख्याने बीजमाह । यथाहेति ॥ अमेति । चिरनिखातमित्यर्थः। अनेन वित्तस्य निधित्वं सूचितं । तत् ततः । निध्यधिगम इति । अधिगम इति कर्मणि घञ्। कर्मधारयः कडारादिः अधिगम्यमानो निधिः । राजधनं नाधिगंतुः अभिक्रपस्य श्रुताध्य-प्यनादिसंपन्नस्य ब्राह्मणस्य तु सं, न राजधनम् अपि तु तस्येव ॥ एवं चेदं वाक्यत्रयं यथासंभवं शेषानुषंगाभ्यामिति बोध्यं । अब्राह्मणोऽपि विद्वद्ब्राह्मणभिन्नोऽप्याख्याता तत् कथिता यदि तदा तस्य षष्ठमंशं ठमेतेत्येक इत्यर्थः । अपिना विद्वद्वाह्मणसमुच्चयं । तथा च तस्यापि षष्ठांशमात्रप्राप्तौ । प्रागुक्तविरोधोऽत आह । एके इति । अनेन तदीयसर्वप्रहणेन सह षष्ठांशप्रहणस्य तस्य पुरुषभेदेन विकल्पः सूचित इति बोध्यं ।

नन्वनिवेदितविज्ञात इत्युक्तं । कर्मनिष्ठायां । निध्यधिगंत्राऽन्येन वाऽनिवेदेने राज्ञो
 ज्ञानाभावात् 'किं च दाप्य' इत्यनेनान्ययासंभवादत आह । अनिवेदित इतीति । 'गत्यर्था
 कर्मके'त्यनेनेति भावः ।

पदार्थमुक्त्वा वाक्यार्थमाह । यः कश्चिदिति । विद्वद्वाह्वगस्तद्विन्नो वेत्यर्थः । तिमित्यसार्थमाह । सर्वे निधिमिति । विशेषानुक्तेः केवलार्थकैवशब्दस्वरसाचाह । शक्तय-५५ पेक्षयेति । यद्यपि निध्यिधगंता खयं निवेदैने साक्षात् कर्ता प्रयोजको वा न भवति तथाऽप्य-न्येन निवेदिते राज्ञो विज्ञातो भवतीति स तं निधिं दंडं च यथाशक्ति दाप्य इति भावः ।

'इतरेणे'त्येतत्स् चितमेव विशेषमाह । अथेति । अपिःप्रागुक्तप्रनष्टसमुचायकः । भाव-यति साधयति । अत्र मानमाह । यथाहेति । 'ममार्यामेतीति' । अनेन कर्मणा द्विकर्म-कत्वं ब्रुवः सत्येन रूपकसंख्यादिकथनेन तस्येति अवधः संबंधित्वविवक्षया पष्टी । ग्रन्थ-२० व्यवस्थामाह । अंशोति । वर्णेति । सदसद्धर्मचिराचिरकालाद्येपक्षयेत्यर्थः ।

#### याज्ञवल्कीये ३६ श्लोकः

चौरेति । प्रनष्टप्रसंगादित्येवेति भावः । तत्फलं तु तद्वद्रशापि कालावधिबोधनं । अत एव 'नष्टापहृतमाहृतमिति' मूलोक्तिरिति बोध्यं । ननु स्वयमलव्धं कथं देयमत आह । चौरेभ्य इति । शासनपूर्व गृहीत्वेत्यर्थः । जनपदे भवो जानपदः । अनितिप्रसंगाय तस्य १५ संबंधिशब्दत्वादाह । स्वदेशेति । तथाऽप्यनितिप्रसंगायाह । यस्येति । अनेन वर्ण-सामान्यपरामर्शः । अत एव मन्वेकवाक्यता । तुः पादपूरणे । यस्येत्यंतं भिन्नं वाक्यं । तस्येति च भिन्नं । तदित्यसोभयत्रान्वयस्तदाह । होति । असार्थमाह । यस्मादिति । तदित्यस्य अपहृतं द्वयमिति । यत्तदोर्मिथः साकांक्षत्वाच्छेषं पूर्यित । तस्येति ।

द्वितीयवाक्यार्थमाह ॥ तस्य चौरस्य चेति । किल्विषमित्यादेरनुषंगः । यथाश्रुतार्थं किल्विषमित्यादेरनुषंगः । यथाश्रुतार्थं किल्विष्याक्याने मानमाह । यथाहेति । 'तदुपभुंजान' इति पाठांतरं । अत्र मनुमूलाभ्यां यथाश्रुते विरुद्धमुक्तमतो मन्वेकवाक्यतयैव मूलस्य संभवात् ॥ वैपरीत्यासंभवात् व्याख्यानं

१ ग-सो (निधिरिति)। २ ख-निवेदनवेदने। ३ ख-मन्वेकवाक्यतायै।

कृतमिति । तसाप्रतिदाने उभयोः किल्विषमामोतीत्युक्तं । तथा सित मनुवचने प्राप्तन्यूनता-निरासाय विषयव्यवस्थामाह । यदीति । अनेन मनुविषयः प्रदर्शितः । मूलविषयमाह । अथिति । एवमि मूलोत्तराईस्य सुयोजत्वाक्तस्य व्यवस्थितत्वाद्वेति भावः । मनुमूलपूर्वाई-तात्पर्यार्थमाह । अथिति । ताविद्तत्येनेन न्यूनाधिकभावो निरस्तः । अत्र मानमाह । यथा-हेति । यथास्थानमिति । यस तद्धनं तं प्रापयेदित्यर्थः । कृष्णेति व्यासोऽप्याहेत्यर्थः । अशक्तस्त्वशक्त एव राजा भवेदितिशेषः । हि तदा द्विबद्धमिति न्यायेन सत्यां शक्तौ तथा न कार्यमिति स्पष्टार्थमाह । अशक्तेनेति । महीति । महीं क्षयति निवासयति गमयति वी क्षिणोति हिनस्ति शास्ति दंडयति वा महीक्षित्तेनेत्यर्थः॥ ३६॥

इत्यसाधारणव्यवहारमातृकेति । 'इति साधारणासाधारणव्यवहारमातृकेति' पाठांतरं । तस च पूर्वे तथा पाठामावो वक्ष्यमाणप्रकारो वाऽभिप्रायः ॥

## अथ ऋणादानप्रकरणम् ३.

पृवोत्तरयोर्प्रथसंदर्भयोः संगतिमाह । साधारणासाधारणेति । प्रथमप्रकरणे साधारण-मातृकाऽभिहिता । द्वितीयप्रकरणेऽसाधारणमातृका । एवं च प्रकरणद्वयस्रोत्तरग्रंथोपयोगित्वेन ताभ्यामुत्तरग्रंथे संगतिरिति भावः । यद्वाऽनंतरप्रकरणमेव साधारणासाधारणात्मकं । 'देशादेशांतरं याती'त्यादि दुष्टलक्षणं सर्वसाधारणं । 'छलं निरस्य भूतेने'त्यादिकमपि । इतरद-१५ साधारणं । समातावुभयात्मकत्वेन प्रकरणसमापनमिति भावः । पदानां मध्ये इति शेषः ।

तत्र तावदृणस प्रदानं आदानं वा यिसिन्निति व्युत्पत्ताविष योगरूढोऽयं ऋणादानशब्दः तदेतदिभिन्नेत्वाह । तचिति । तत्रादावधमर्णसंबंधिभेदानाह । ईदृशामिति । याचनापूर्व-कत्वादृणस्य तसाश्चाधमर्णनिष्ठत्वात् मछग्रामादिवद्वेति भावः । एतेन सूचीकटाह्न्यायेन वैपरीत्यमुचितमित्यपासं नारद्वचनाच । अस्वतंत्रेरिष स्व्यादिभिः कुटुंबरक्षणार्थं यदृणं गृहीतं २० तद्देयं उक्तवैपरीत्ये तु न देयं । पुत्रपौत्रादिरूपेणाधिकारिणा देयं । अस्निन्काले देयं । कचि-त्सवृद्धिकं देयं । कचिद्विधिमिति मिलित्वा ऋणादानं सप्तविधमित्यर्थः ।

पतच्चिति । उक्तभेदकथनेनास योगरूढत्वे चेत्यर्थः । येन देयमित्यधिकारिनिर्देशः । यत्र देयमित्य धिकारिनिर्देशः । यत्र देयमित्य सर्वत्रान्वयः । धर्मश्चेति २५ पाठः । द्वंद्वांते श्रूयमाणत्वात्प्रत्येकं संबंधः । तिद्तिपाठे यदिति शेषः । वैपरीत्ये वैपरीत्यमिति । यत्तदणादानमित्यन्वयः ।

एवं स्मृत्यंतरानुरोधेनास्य सप्तविधत्वमित्रमोपयुक्तं प्रतिपाद्य अधुना मूळवचनमवतारयति । तत्रेति । तेषां मध्ये इत्यर्थः॥

१ ख-यः क्षिणोति। २ ख-चाधमण।

## याज्ञवल्कीये ३७ श्लोकः

द्वयोरेवेति भ्रमनिरासाय वीष्साद्विर्वचनेनाह । प्रतीति । प्रयोगे दानेऽत्र विशेषोक्षे-खेऽनुपयोगात् फले विशेषाचाह । द्वव्यस्येति । अशीतिपदं तत्संख्यापूरेक लाक्षणिकं भाग-पदसाहचर्यादित्याह । अशीतितम इति । तथा च तत्र कर्मधारयो बोध्यः । शास्त्रविहि-भतत्वादेवाह । धम्येति । लिङ्शीविवक्षयाऽऽह । भवतीति ।

उत्तरार्धे व्याचिष्ट । अन्यथेति । अस व्याख्या वंधकेति । सामान्येनोक्तं स्पष्टार्थे विशिष्याह । ब्राह्मणे इति । शतमित्यसाये सर्वत्रानुपंगः । एवं भवतीत्यसापि । मासि मासीत्यनुवर्तत इत्याह । मासीति । तथा च प्रतिमासं ब्राह्मणादिकमात् तथा भवतीत्यर्थः ।

नतु कथमुक्तार्थलामस्तत इत्यत आह । हो वेति। 'संरुथैयाऽव्ययेति' (व्या. मू.२-२-२५). १० बहुव्रीहिरिति भावः । 'तर्देस्मिन्निति' तथा च कनः सर्वत्र संबंध इति भावः ।

उक्तवृद्धेरुपाधिभेदानमूलानुक्तं द्वैविध्यं कथयन्नाह इयं चेति। मूलोक्तेत्यर्थः । मूलानुक्तमाह। इयमेवेति । मूलोक्तेवेत्यर्थः । विशेषमाह । दिवसेति । मासस्यति भावः । अत्र मानमाह। तथा चेति । उक्तवोक्तमित्यत्रान्वयः । तस्य ऋणस्य उक्तेति शेषः।

कायेति । तदिवरोधिनी तद्मुकूछा यथा तस्य प्रतिदिनं वृँद्धिः तथा दीयमानेत्यर्थः । यद्वा । अध्यया खेदेन शरीरनाशो न भवति तादृशी स्वरुपेत्यर्थः । अधिकदाने खेदेन देहस्यारक्षणेन नाशसंभवात् । शश्वत् । मुहुर्मुहुः प्रतिदिनमिति यावत् । पणेति । पणस्य पादश्चतुर्थांश इत्यर्थः । तथा च पणपादादिरूपा तद्विरोधिनी प्रतिदिनं स्रवंती कायिकत्यर्थः । स्रवंती आगच्छंती । उभयत्र मत्वर्थीयष्ठन् । अधमणिके 'बह्वच' इत्यनुकंपादो ठच् । 'मणिकेनेति' पाठांतरं । तदा मत्वर्थीयष्ठन् ॥ ३७ ॥

## याज्ञवल्कीये ३८ श्लोकः

श्रहीत्रिति । अथेत्यादिः । दशकिमिति । पूर्ववत् । विशकिमिति । धनं तत् प्रकरणाद्विशेषपरत्यमित्याह । अरण्यमिति । कर्मणोऽधिकरणत्यविवक्षया सप्तमी । तत्रेति । तमित्यर्थः । परिखेतिवत् डः । अत एव तथेव पदार्थमुत्तवा वाक्यार्थमाह । ये इति । तत्रापि
अरण्यसामान्यं न विवक्षितमिति सूचयन्नाह । अतीति । अभ्यहितत्वात्प्राणस्य पूर्वनिपातः ।
व्यवस्तुतो विनाशस्थानेऽपि आह । शंकेति । तत्रापि प्रकर्ष इत्याह । प्रेति । अपकर्षेणाह ।
दद्युरिति । ये च ये तु सामुद्रा इत्यत्रेदमर्थेणेति सूचयन्नाह । समुद्रगा इति । दद्युरित्यसानुषंगः । मासिमासीत्यनुर्वतते सामर्थ्यादित्याह । मासीति । ननु तथा सित यदि विनाशसतदा तावत्तदानमपि कथमतः तात्पर्यार्थमाह । एतिद्वित । आद्विवेति भावः । इदं चानंतर्याद्वंधकप्रयोगविषयमत एवाह । मूलेति ।

कारितामिति । अत एव मूले वाशब्दो विकल्पार्थः । तदाह सर्वे वेति । अस

१ व्या० स्० ५-२-४२ २ व्या० स्० ५-१-४७ ३ ग-उक्लोक्तम्। ४ क स् ग-वृद्धि-स्तथा शरीरसत्वे प्रतिदिनं वृद्धिरिति। ५ फ-अनुवर्तनसामर्थ्यात्।

व्याख्या ब्राह्मेति । अत्र च ब्राह्मणादीनामधमर्णत्वं प्रदर्शनमात्रं हीनोत्तमभावमपरिगणय्य यथा कथंचिदुत्तमर्णत्वमधमर्णत्वं च भवतीत्यर्थः । संकोचे मानाभावादाह । अबंधके इति । प्रयोगे इति शेषः । यथाश्रुतासंगतेराह । स्वाभ्युपेति । उद्देश्यसाधिकरणत्विवक्षया आह्।सर्वास्विति । विशेषमाह । किचिदिति । न वृद्धिरिति । वृद्धि कुर्वतमधमर्ण मुत्तमर्णः प्रयुंक्ते इति णिचि निष्ठायामापि आङा कारिता शब्दस्य समासे । ततो नत्रा तस्य समास ५ इति कश्चित् । प्रकृते तु स्वारसात्प्रार्थयंतीतिवत् णिच् इति तु तत्वं । अत एव स्वकृतामित्यक्तं मूले । एवं रीतिः कारितेत्यत्रापि बोध्या । अत एव स्वयंकृतेत्येव तत्रोक्तं । एवं चाकृता वृद्धिस्त्वं यथेच्छं व्यवहरेति तदानीं कचिदपि न स्वात् ।

अत्र 'प्रीतिदत्ते'त्यनेन ग्रहीतुर्याचनाभावः स्चितः । अत एव तत्र विशेषं वक्ष्यति । ईदृ-शेऽपि स्थले । हि स्त्वर्थे । वत्सराधांद्धिवत्सरार्द्धा । ऊर्ध्वषण्मासोत्तरं तु । अनाकारितमिष । अकृतमि । 'अर्शआद्यजंतं' । धनं वर्धत इत्यर्थः । विवर्धत इत्यर्थः । विवर्धत इति पाठांतरं । कचिनमते अकृतित्यर्थः । स्वोक्तिविरुद्ध इति बोध्यं । वर्धनप्रकारस्तु सबंधके प्रागुक्तो द्रष्टव्यः ।

विशेषांतरमाह । यस्त्वित । 'याच्ञाया प्राप्तं याचितकिम'त्यमरः (२-९-४)। वृद्धिं विना प्रार्थनया गृहीतिमित्यर्थः । तादशमर्थं विना याचनामिति शेषः। अत एव तत्र विशेषं वक्ष्यित । तृतीयं विशेषमाह । यश्चेति । योऽपीत्यर्थः। याचीति वर्तमानसामीप्ये इति। भू भूते छट्। तेनैव कात्यायनेनैव। कृत्वोद्धारमिति याचितकरूपोद्धारमादायेत्यर्थः। कृतोद्धारमिति पाठे कर्मधारयः। गृहीतं याचितकिमत्यर्थः। 'उधार' इति भाषाप्रसिद्धः । उद्धारः 'कर्मणि घञ्' उदित्यस्य वृद्धिमुिछ स्थेत्यर्थः। तु अपि। यद्धा य इत्यत्रे योज्यो यथाश्रुत एव याचित इत्यत्रापीति शेषः।

चतुर्थं विशेषमाह । यः पुनिरिति । यस्त्वत्यर्थः । याचितः याचितोऽपि । याचितेति । २० अधमर्णयाँचितेत्यर्थः । स्वेति । यस्तु स्वदेशे स्थितः सन् याचितोऽपि कचित् कदाचित् न द्यादित्यर्थः । कचिदिति देशविशेषणं वा । अनिच्छंतं च तमपि तमकारितामकृतामपि वृद्धि प्रागुक्तरीत्या ततोऽधमर्णयाचनकालादारभ्य राजा दापयेदित्युक्तराधार्थः । अनाकारितिति । 'न वृद्धिः प्रीतीति' ( १-१०८ ) नारदेनैव षण्मासानंतरं प्रीतिदक्ते उक्ताया इत्यर्थः । नाविति । नेवेत्यर्थः । पण्यं विक्रेयं वस्तु । मूर्व्यं धान्यादिः । भृतिर्वेतनं । वृथा-२५ दानेति । त्रयाणामितरेतरद्धंद्धः । वृथादानं बंदिचारणादिभ्यो दीनं । आक्षिकं चृतजितं । पणः पणव्यवहारे कियमाणनिवंधः । न्यासोऽन्यः । पण्यादिषु 'दास्यामीति' दृद्धपतिज्ञायां सत्यां तावत्येषां पण्यादीनां परकीयत्वेनादानेऽनाकारितवृद्धेः प्राप्तावनेनापोद्यते इति मावः । 'न्यास'पदेन तु न्यासविशेषो प्राह्यः । तथाहि यत्र विश्वस्ते पुरुषे रूपसंख्याप्रदर्शनेन द्रव्ये न्यस्ते स यदि मयैतद्यवहियते कालांतरे 'एतत्संख्याकमतज्ञातीयं च इदं दास्यामीति' स्वा-३० मिनः पुरस्तात्कथयति स च स्वामी तथैवांगीकुरुते; ताद्दशे न्यासे कृता वृद्धिर्नास्तीत्यर्थः । षण्मासं वृद्धभावस्य सिद्धत्वात् स्वामनोऽकथयित्वैव व्यवहारे कृते सोदयस्य देयत्वाचिति बोध्यं । अविविक्षिता 'इत्यर्शआद्यन् (व्या. स्. ५-२-१२७)। तदाह ॥ अनिति ॥ ३८॥

## याज्ञवल्कीये ३९ श्लोकः

स्त्रीणां चिति । दासीनां न कुलस्त्रीणामित्यर्थः । त्वर्थमाह । एवेति । एतत्प्रसंगमाह । 'पश्चामिति । पुष्टीति द्वंद्वोत्तरं बहुत्रीहिः । इदं दातुरुक्तं । अथ प्रतिप्रहीतुराह । प्रहणं चिति । क्षीरेति । द्वंद्वोत्तरं तत्पुरुषः यथासंख्यमत्र बोध्यं । प्रयुक्तिति । वृद्धिलोभेनेति भगवः । अत एवाह । वृद्धीति । प्रहणं न तु करणं । तस्येति विषये । तेषां मध्ये इति शेषः । 'स्थितत्वे' इति पाठेऽपि तेषां मध्ये इति शेषः । अन्यथा निर्धारणे बहुवचनौचित्येन यथाश्रुतासंबद्धत्वं स्पष्टमेव ।

परा । उत्कृष्टा चरमेति यावत् । तैलेति । घृततैलादेरित्युचितं । 'शाकपार्थिवादि'र्वा । तस्य लघ्वक्षरत्वात् । आकारितवृद्धमिप्रायेणाह । स्वेति । परेत्यस्य तात्पर्यार्थमाह । तःपेति । किहरण्यशब्देनात्र धनं द्रव्यापरपर्यायं सर्वे । पक्षांतरं रसे आह । विसष्टेन त्विति । परत्वं वृद्धेरितिशेषः । अतिदिशति । धान्येनैवेति । निचेति । व्याख्यातानीतिशेषः । तुलेति । तुलायां धृतं निहितं । त्रितयं हिरण्यधान्यरसात्मकमदत्तं चिरकालस्थितमित्यर्थः । धान्यपुष्पाचंशे पक्षांतरमाह । मनुना त्विति । प्राग्वत् ॥ आदिश्राह्यं वचने स्पष्टं । पूर्वनिपातप्रकरणानित्यत्वात् पुष्पस्य पूर्वनिपातः । बलीवर्दस्याभ्यहितत्वात्सः । पदार्थानुक्त्वा वाक्यार्थ- भमाह धान्येति । सर्वत्र विषयसक्षमीत्याह विषेति । पंचतामित्यस्य लक्ष्यार्थमाह । पंचगुण- त्विमिति । इतीत्यसार्थं इति शेषः । एवं सति संभवात्तस्य दुष्टत्वं विकल्प्यान्यप्रकारेण विरोधं

विशेषमाह । एतचिति । एकसिनेव ऋणादानप्रयोगे एकदैव च सवृद्धिकम्लग्रहणे चे-त्यर्थः । एकसिन् ऋणदानप्रयोगे दशरूपकेषु दत्तेषु प्रतिदिनं प्रतिमासं प्रतिसंवत्सरं वा वृद्धे-२० रग्रहणे कालविलंबवशात् वृद्धेद्वेँगुण्याद्यतिक्रमेणातिवृद्धिः प्राप्ता तत्र सवृद्धिकम्लमेकदैव गृह्ध-वृत्तमणों मूलद्विगुणं तेन सह विंशतिरूपकपरिमितं द्रव्यं गृह्णीयात् इत्यभिप्रायः ।

परिहरति। तत्रेति। तेषु पक्षेष्वित्यर्थः। परकीययोग्यतायास्तथ्यतः स्पष्टमज्ञानादाह। दुर्भिक्षेति।

आद्यस्य प्रत्युदाहरणमाह । पुरुषांतरेति । अन्यस्मे पुरुषाय दानेनेत्यर्थः । प्रयोगांतर-करणं द्वेघा । तत्रैकमुक्त्वा द्वितीयमाह । तस्मिन्नेवेति ।

अनेकशः । पुनः पुनः । अनेकशः इत्यत्र रेकसेकाभ्यामिति पाठे प्रयुक्तद्रसैकदेशमहणे २५ ऊनीकरणं रेकः । तत्रैव प्रक्षेपेणाधिकीकरणं सेकः।

'रिच वियोजनसंपर्चनयोः' । 'षिच क्षरणे'। तत्रानेन सर्वम्रहणादाह । सुवर्णेति । पूर्ववत् अशीतिभाग इत्याद्यक्तप्रकारेण । अयं भावः । यदि तदेव विशतिसंख्याकं द्विगुणं द्रव्यं अन्यस्मै दीयते, पूर्व यस्मै दत्तं तस्मा एव वा दीयते । प्रयोगांतरेण तथा वा क्रियते । तदा पूर्वप्रयोगे द्विगुणीभूतमिति कृत्वा पुनः क्रियमाणे प्रयोगांतरे न वर्धत इति न तदा १० दीयमानस्य तस्मैव म्लत्वेन वृद्धेरिष्टत्वात् । अत एव प्रथमप्रयोगे एव द्वेगुण्याद्यतिक्रमेण वृद्धिनी द्वितीयादिप्रयोगे तु द्वैगुण्याद्यतिक्रमेण

१ इंगुण्यादिक्रमेणाभिवृद्धि । २ फ-द्विगुणस्य । ३ ख-तसादेव । ४ फ-द्विगुणद्विगुणीभूत् । ५ ख फ-वृद्धिरिष्टलात् ।

'सकुदाहरण'इत्यस प्रत्युदाहरणमाह । सक्वादिति । देयस मूलस । असंभवस्त्वेवं, प्रतिदि-नादिक्रमेण तद्दाने यिसन् दिने या वृद्धिदींयते तिद्दिनात्पूर्वमिभवृद्धस्य धनस्य विच्छेदः पुन-रिप न्तनत्वे वृद्धिः एवं च वस्तुतः प्रयोगांतरिमव भवतीति, यावत् द्वैगुण्यं प्रामोति तावद-विच्छेदेन वृद्धस्य द्रव्यस्य स्थित्यभाव इति । अत्रोमयत्र मानमाह । यथाहेति । हितेत्यसे-(ती)ति शेषः । क्रचित्तथापाठ एव । पाठभेदेन द्वयोर्छाभो नैकसादित्याह । सकृदिति ।

तत्राचपाठेनाचळाभ इत्याह । यदीति । एतद्विशेषणतात्पर्यमाह । पुरुषांतरेति । आदिना प्रागुक्तद्वितीयपरिग्रहः । द्वितीयेन द्वितीयळाम इत्याह । सर्हादिति । तेतितुपाठे त्वितिपाठः । यदि सकृदाहृता मूळसहिता वृद्धिरेकदैव गृहीतेत्याचर्यः । एतत्तात्पर्यार्थमाह । द्वानैः शनैरिति । असैव व्याख्या प्रतीति । मानांतरमाह । तथेति । तद्वदित्यर्थः । अत एव अपिना पौनरुक्त्यं न । स्थानं स्थितिः । प्रयोगस्य प्रयुज्यमानऋणसप्रतिदिनादिक्रमेण १० वृद्धिग्रहणं विना चिरकाळस्थितो सत्यां द्वैगुण्यं भवतीत्यर्थः ।

उक्तिमित्यस्य ध्वनितमित्यर्थ इति सूचयन्नाह । प्रयोगेति । अनेनाद्यार्थलामः उक्तः । द्वि-तीयस्य तमाह । चिरेति । रानैः रानैरिति । उक्तरीत्येतिमावः । दर्शितः । अमि-प्रेतः ॥ ३९ ॥

संगतिमाह । ऋणप्रयोगेति । ऋणदानेत्यर्थः ।

## याज्ञवल्कीये ४० श्लोकः

प्रपन्निमित्यस्य व्याख्याऽभ्युपगतमधमणेंनेति । अर्थपदार्थो धनमिति । व्याख्यानां-तरमाह । साक्ष्यादीति । अत एवान्यथा शेषं पूर्यित । धर्मादिमिरिति । लिङ्थाविवक्षया आह । भवतीति । तानेवाह । धर्माद्यश्चिति । ते त्वित्यर्थः । प्रकृतोपयोग्यानर्थानाह । प्रीतीत्यादिना । पक्षांतरे एतेषां सर्वेषां उपायत्वं स्चयन्नाह । उपायेनेति । बलेनेत्यस्य ३० व्याख्या निगडेति । एवं पदार्थानुकत्वा वाक्यार्थमाह । उपेति । एतैः पंचिमर्व्यस्तैः समस्तैर्वा यथासंभवम् इतीत्यस्यार्थ इति शेषः ।

ध्वनितमाह । प्रपन्निमिति । अप्रतिपन्नमनंगीकृतादि साधयन् प्रत्याहरन्नेतैरुपायैरितिशेषः । ध्वनितत्वेनास्पष्टत्वात् चिरकालऋणिके 'मत्वर्थीयष्ठन्' । न्यायेति । यथार्थानंगीकारादिभाषिण-मित्यर्थः । दमं दंडं ।

उत्तरार्द्धार्थमाह । यस्त्वित । उपायैरित्यस साध्येत्यत्रान्वयः । 'कर्मणि लिड'त्याह । याच्येति । गमनमात्रेण नानिष्टम् । अतस्तस्य लक्ष्यार्थमाह । राजानिमिति । लिङ्ग्यिविवक्षया आह । अभीति । अनेन गच्छन् इत्यपपाठ इति स्चितं । विशेषामावादाह । शक्येति । प्रपन-साधने उत्तमर्णस्य प्रागुक्तप्रकारवद्त्रापि शेषसूचनाय तानाह । दापने चेति । मनुनैवेति-मावः ।

अधमर्णविशेषेणात्र प्रकारभेद इत्याह । विप्रामिति । एवं प्रागपि बोध्यं । सांत्वेन । प्रीतियुक्तसत्यवचनेन । एवेनेतरव्यवच्छेदः । एवमभेऽपि । देशेति । साक्षिलेख्या-

१ क-अभिवृद्धेस्य धनस्य । २ फ-प्रभुज्यमानार्थऋणस्य । ३ ख-ध्वनितत्वेन स्पष्टत्वात् । ४ ग फ-चिः।

खुपन्यासरूपव्यवहारेणामोजनादिरूपेण च विप्रान्यानित्यर्थः । अनेन प्रागुक्तद्वयसंग्रहः । तत्रैव विशेषमाह । दुर्घानिति । अयं प्रागुक्तपंचमप्रकारः । तृतीयमाह । ऋक्थिनः मिति । विषयद्वैयेऽत्र । एवं च सामादयो नीतिशास्त्रोक्ता उपाया एवात्र शब्दांतरेण प्रोक्ता इति बोध्यं ।

नन्वत्र व्यवहाराभावेन कथं दंडादिदापनं राजकृतमत आह । साध्येति । अयं भावः। 'स्मृत्याचारे'त्यनेन ताद्दशस्य व्यवहारपदत्वमुक्तं । अत्र तु तद्विरुद्धमार्गेणाधार्षितत्वाद्वाज्ञे न निवेदनीयं । यदि निवेदयित तदा ति्रवेद्यमानं व्यवहारपदं न भवति । अत एव दंडा-दिमात्रं विधीयते । तत्राप्यादौ दंडस्य पश्चाक्तस्थेति निःशंकमविचार्य्य तथाकार्य्यमिति तद्विपरी-तोदाहरणमेतदित्यर्थ इति ॥ ४० ॥

#### याज्ञवल्कीये ४१ स्रोकः

बहुषु उत्तमाणिकेषु चेति । अनुकंपादौ च एवमधर्माणिकेऽपि बोध्यं । अव्यवहितसंगितर-नेनोक्ता । गृहीतेति । ग्रहणानुक्रमादित्यर्थः । धनिनामित्युद्देश्यस्य संबंधित्वविवक्षया षष्ठी धनमितिशेषः । उत्तराईळच्घां व्यवस्थामाह । समानेति । सत्सु इति शेषः । तुरुक्तवैळ-क्षण्ये तथा च नृपतेरित्युपळक्षणं ॥ ४१ ॥

#### याज्ञवल्कीये ४२ श्लोकः

अग्रिमसापि अवतरणं ससंगतिकमाह । यदा पुनिरिति । यदात्वित्यर्थः । अशक्तो हेतुं सूचयन्नाह । दुर्बेळ इति । चस्त्वर्थे । व्युत्क्रमेण समुचये वा । भृतिदानं शब्दानुशासन-माचार्यसेतिवत् प्रयोगः । शब्दार्थमाह । अधमणीति । साधितादित्यस्य साकांक्षं प्रकृतं शेष-माह । प्रतीति । कर्मधारयः । दशकमिति । पंचदशतो वर्गवेति । पक्षे परिमाणार्थकत्वं तं शतमित्यत्र प्रतीतिशेषः तं प्रतिदशसंख्यासमित्यर्थः । एवं पंचकं शतमित्यपि बोध्यं ।

तत्र शतअहणसुपलक्षणमिति प्रतीत्यत्र कर्मधारयमन्यस्मे दापनाविवक्षां च सूचयन्नस्य तद्शमांश्वत्वसंभवात्फलितमर्थमाह । प्रतीति । प्राग्वदर्थद्वयमाह । रूपेणेति । नोत्तमर्णादि-त्यादिः । तुर्व्युत्कमे इत्याह । त्विति । प्राप्तिति । अनेनातथात्वेनैवमिति सूचितं । एत-त्सूचक एव हि³ भृतिर्वेतनं अत्र तस्य संत्त्वासंभवादेतस्येव संभवादाह । विशासिति ।

- भे निन्वदमुभयमयुक्तं भृतिदण्डयोरत्रानुक्त्या राज्ञस्तु तदंशग्रहणमात्रप्रतितिरिति चेन्न । ग्रहण-प्रतीतिर्निविवादत्वेन तत्र हेतुपरामर्शे दृष्टे सत्यदृष्टकल्पनाया अन्याय्यत्वेन तत्संभवे तद्भावे-नाधमणे अंगीकृतीर्थादानरूपापराधरूपस्य दृष्टहेतोः संभवेनोत्तमणेऽपराधाभावेन केवला-शक्तिसत्त्वेन गुरुत्वलघुत्वतारतम्येनाधमणीद्पराधेन दंडस ग्रहणमुत्तमणीद्शक्त्या भृतेरिति तात्पर्यीर्थः ।
- ननु प्रपन्नार्थसाधने इदं सर्वमुक्तम् । अप्रतिपन्ने तु का गतिरत आह । अप्रतीति । दंडेति । ससाधनप्रकार इत्यादिः । तत्रापि वक्ष्यत इत्युक्तं स्थितं तदत्रोक्तमेवेति बोध्यं ॥ ४२ ॥

१ फ-विषयद्वयमात्र । ग-विषयद्वयमत्र । २ ख-सम्बन्धत्व । ३ ख ग-हिः । ४ ख-तत्त्वा-संभवात् । ५ फ-अंगीकृताद्यर्था । ६ ख-अट्टष्टहेतो । ७ ग फ-तात्पर्यात् । + व्या. स्.५।१।६०

## याज्ञवल्कीये ४३ श्लोकः

हीनजातिमित्यत्र श्रूदादिरेव न विवक्षित उत्तरार्धस्वारसादित्याह् । ब्राह्मेति । योग्य-तया आह् । उत्तेति । परिक्षीणमित्यस्य व्यास्याऽनतिप्रसंगाय योग्यतया निर्धनमिति । 'मक्षिकार्थो धूम' इतिवहणार्थमित्याह् । ऋणनीति । योग्यतयाऽनतिप्रसंगायाह् । स्वेति । नन्वेवं तत्कुटुंबिवनाशः स्याद्रक्षणाभावादत् आह् । तदिति । तदुपयोगि । संपाद्याविष्ठकाले ५ इदं तेन कार्यमिति भावः ।

उत्तरार्घार्थमाह । ब्राह्मेति । अपिना तसापि संग्रहः । तेन न सर्वथा न्यूनता । जातिमपि ब्राह्मणादिकं। चः प्राग्वत् । कर्मेति समोपकृष्टजातिश्राधमार्णिको धनिकेन सार्धमात्मानं कर्मणाऽपि समं तुल्यं कुर्यात् श्रेयांस्तु तैद्धनं शनैर्दद्यादित्यर्थः । अपिनोक्तसमुच्चयः । तत्रास्य स्पष्टां-शमाह । उत्तेति । कर्मणा धनादिकृततुत्यत्वासंभवात्समिनित व्याचष्टे । निवृत्तोत्तेति । अयं १० उत्तमणीदिनिरूपिताधमणव्यपदेशस्तत्र यथा नास्त्येवं स्वसिन्नपीत्यर्थः । यद्वा दृष्टांतार्थमुत्त-मर्णस्य ग्रहणं तयोर्मिथः सम्बन्धिकत्वाद्यतरिवृत्तावपरस्यापि निवृत्तिः ॥ ४३ ॥

## याज्ञवल्कीये ४४ श्लोकः

किंचेति । उत्तमर्णेऽन्यद्ष्युच्यत इत्यर्थः । उत्तरार्द्धानुरोधेनाह । उपेति । स्वकमित्यत्र 'खार्थे किन'त्याह । स्वीयमिति । योग्यतया आह । अधेति । य इत्यसार्थो उत्तेति । भ अग्रहणे हेतुं पूर्यति । वृद्धीति । तथैवाह । यदीत्यादि । मध्यस्थपदं ठाक्षणिकमित्याह । हस्ते इति । तत् धनं । तत इत्यस्य व्याख्या स्थापेति । परमिति व्याचष्टे । ऊर्ध्व-मिति । तुल्ययुक्तयेदर्मुक्तं विशेषमाह । अथेति । याच्येति । उत्तमर्णेनाधमणं इत्यर्थः । ततः । तसात् । पूर्ववत् । स्थापनतः प्राग्वत् ॥ ४४ ॥

एवमुत्तमर्णे प्रकारद्वयमुक्तमथाधमर्णे आह । इदानीमिति । यदेति कालनिर्देशः । २० येनेत्यधिकारिनिर्देशः । तत् त्रितयं ।

## याज्ञवल्कीये ४५ श्लोकः

अविभक्तिरित्यत्र बहुवचनबलात् बहुत्वं विविक्षतं । तथा च समस्तेर्व्यस्तैर्वा तैरित्यर्थः । तुर्वेलक्षण्य । तत्फलितमाह । अवीति । कुटुंबेत्यस्य मध्यमणिन्यायेनान्वयः । बार्थे इत्य-व्ययं । तत्रेत्याह ॥ अर्थामिति अस्रोभयत्रान्वयः । तथा च बहुभिस्तैरेकैकेन वा कुटुंबरक्ष-१५ णार्थे यदणं कृतमित्यर्थः । अनेन देयं ऋणं कथितं । उत्तरार्धस्वारस्थेन शेषं पूर्यित । 'तदणं कुटुंबी दद्यादिति' । अनेनाधिकारिकथनं । तिस्मन् कुटुंबिनि । तदिति । तस्य कुटुंबिनो ये रिकथग्राहका इत्यर्थः । बहुवचनलभ्यमाह । सर्वे इति । अत्र 'प्रेते प्रोषिते वेति ' का-लामिथानं 'तदिकथन' इत्यप्यधिकारिप्रदर्शकमेवेति भावः ॥ ४५ ॥

प्रत्युदेति । पूर्ववचनेन कुदुंब्यादिभिरधिकारिभिर्ऋणं देयमिति येनेत्यंशोऽपि कृतस्तत्र १० योषिदादीनामपि कुदुंब्यादित्वेऽधिकारित्वेन तस्य देयत्वं यद्यपि प्राप्तं तथापि विषयविशेषे

^{* (}ऋणनिवृत्यर्थमिति)। १ ख-तदरं। २ ग-तदनुक्तं।

देयमिति पूर्वाभिहितमृणस्य देयत्वं व्यावर्त्यत इति प्रत्युदाहरणत्वमित्यर्थः । तथा चानेना-देयमृणमुच्यत इति भावः ।

# याज्ञवल्कीये ४६ श्लोकः

कृतमित्यस पूर्वत्रापि संबंधः । योषित्पदं योग्यतया द्यर्थमिति पृथक् व्याचष्टे । पत्येति । पूर्वतोऽनुवृत्तेराह । ऋणमिति । सर्वमिति न्यायेनाह । नैवेति । द्वितीयपादार्थमाह । तथेति तुर्यपादार्थमाह । तथेति । योग्यतया स्त्रीपदार्थमाह ॥ भार्येति । 'न द्वादि'त्यसानुषंगः । अव्यवहितसंबंधभ्रमनिरासायाह । कुटुंबेति । सर्वे शेष इति पाठः । घञजपाः पुंसीत्युक्तेः शेषमिति पाठस्तस्य प्रायो वादत्वेन । यद्वा सर्वस्य शेषः शेषत्वं यस्य तत् । अत एव तत्य-त्युदाहरणतया पूर्वेकवाक्यतेत्याह । अत्रश्चेति । कृतं ऋणमिति शेषः । हरेः यैः कैश्चित् । क्ष्मारदोऽपि-" न स्त्री पतिकृतं द्वादणं पुत्रकृतं तथा । अभ्युपेतादते यद्वा सह पत्या कृतं भवेत् । द्वादपुत्रा विधवा नियुक्ता वा मुमूर्षुणा । यो वा तद्विकथमादत्ते यतो रिकथमृणं ततः ॥ " ( अ. १ श्लो. १६–१७ ) कात्यायनोऽपिः—

"भर्त्रा पुत्रेण वा सार्धे केवलेनात्मना कृतम् । ऋणमेवंविधं देयं नान्यथा तत्कृतं श्चिया ॥ मर्त्तुकामेन वा भर्त्रा उक्ता देयमृणं त्वया । अप्रपन्नाऽपि सा दाप्या धैनं यद्याश्चितं तया" अभ्इति ॥ ४६ ॥

तस्येति । अदेयप्रक्रमादिति शेषः । तथा चैतदर्थमेवमुक्तो इतःपरस्थापि पाठक्रमा-दिति न्यायेनार्थक्रमतः पूर्वभावादपवादत्वमिति न काचिद्संगतिरिति भावः ॥

#### याज्ञवल्कीये ४७ श्लोकः

चूतांतद्वंद्वस्य कृतशब्देन तृतीयातत्पुरुषः तस्य च प्रत्येकं संबंधः; सुरापदं च तत्पाने ठा
* शिणिकं साहचर्यादित्याह । सुरापानेनेति ॥ वा भावेति णत्विवकत्पः । कामो रत्यभिठाष

इत्याह । स्त्रीति । बहुव्रीहिः । एवमग्रेऽपि । चूतेद्वैविध्यत्वेऽपि जये तदभावादाह । परेति ।

ठक्षणेतिभावः । दंडेत्यत्र द्वंद्वोत्तरं षष्ठीतत्पुरुषः । 'खार्थे किन'त्याह । दंडेति । रक्षानिर्वेशोः
राजभागः श्रत्कमितिभावः ।

वृथादानिमित्यस वृथादीयमानिमत्याद्यर्थे शाब्दे बाँधात् पूर्ववत्तद्वशिष्टमित्यर्थासंभवा-१५ बाह । धूर्तेति । तथा च तद्नुकूलो व्यापारोऽत्र प्रतिज्ञारूप एवेति भावः । धूर्तादिभ्यो दत्तस्य वृथादानत्वं समूलयति । धूर्ते इति । कितवे दूतकारिणि । चाते विदूषके । अत्र 'निष्फल'-मित्युत्तेया पारलोकिकफलाभावाद्वृथादानत्वं विवक्षितं न तु दृष्टफलाभावादितिभावः ।

पदार्थानुक्तवा वाक्यार्थमाह । एतदिति । पैतृकमिति व्याचेष्ट । पित्रेति । अयं फिल-तार्थः आगत इत्यिधिकारे 'पितुर्यचेति' ठञ् विधानात् । उत्सर्गानुरोधेन पुत्रपद्मुपलक्षण-

इतः परः पाठः खपुस्तकोद्भृत एव. एतत्पाठस्तु गफ पुस्तकयोर्ने दृश्यते ।

 ^{&#}x27;धनं दद्यात्स्थतं स्त्रिया' 'धनं यद्याश्रितं स्त्रिया'-इत्यपि पाठान्तरे दृश्येते ।

२ ख-नाइवेति। ३ ग=द्वैविध्यसत्वेऽपि। ४ फ=शाब्दे वादात्। ५ ख=नत्वा।

६ फ=अगत इत्यधिकारि।

मित्याह । पुत्रादिरिति । इहेति व्याचष्टे । शौंडीति । तस्य तत्त्वविवक्षया तत्र सप्तमी । विशेषमाह । अत्रेति । वचने इत्यर्थः । तु पुत्रेण यच न व्यावेति । न कुटुंबोपयोगीत्यर्थः । मद्योति । अत्र मद्यादिदंडान्तपदैस्तदर्थव्ययीकृतानि द्रव्याणि लक्ष्यते । तानि पितृसंबद्धानि पुत्रान्नाध्यामवेयुरित्यर्थः । 'अधिमवेयुरिति' पाठांतरं । पराभवेयुरित्युभयार्थः । तात्पर्यार्थ- माह । न पुत्रेति । तथा च 'दंडशुल्कावे'त्यत्र त्रयाणां समाहारद्वंद्वः । कन् स्वार्थे एव अव- धिर्थं चोपस्थितत्वात्त्योरेवेत्येवं विवक्षितं न तु प्रागुक्तमित्यनेन सुचितमिति बोध्यं । उपसं-हरति । अनेनेति । उभयेनेत्यर्थः ॥ ४७ ॥

## याज्ञवल्कीये ४८ श्लोकः

गोपित अभ्यहितत्वात्पूर्वनिपातः । व्याधांतद्वेद्वे योषिद्धिस्तत्पुरुषः । आदौ पदार्थानाह । गोप इति । अथ वाक्यार्थमाह । एतेषामिति । अनेन द्वंद्वः सूचितः । पतिरिति 'जातावेक- व चर्नं'मित्याह । पतिभिरिति । तत्र बीजमाह । यस्मादिति । तेषां । तत्पतीनां । अनेन तासामित्यपपाठ इति सूचितः । नेदं परिगणनं किं तूपलक्षणमित्यनेनैव सूचितिमित्याह । अन्येऽपि । एतद्विज्ञा सर्वे ब्राह्मणाद्योऽपि ॥ ४८ ॥

## याज्ञवल्कीये ४९ श्लोकः

आद्यपादार्थमुक्तक्रमेण स्मृत्यंतरानुरोधेनाह । मुमूर्षुणिति । परलोके गंतुमिच्छता देशांतरं १५ गमिष्यमाणेन वा भर्त्रा ऋणदाने तद्विषये नियुक्तया वेरितया भार्यया यत्प्रतिपन्नं तद्दान-मंगीकृतं तत्तांदैशं तया देयं इत्यर्थः ।

द्वितीयपादार्थमाह । यचेति । अनेन वाचार्थे इति स्चितं। एवमग्रेऽपि ॥ अत्र 'पत्या सहे' त्युक्या तस्याप्राधान्यं स्चितं। एवमप्युक्तरीत्योभयोरभावे तस्या दानाधिकारादाह । भर्त्रभावे इत्यादि ।

तृतीयपादार्थमाह । यचेति । मध्यमतो भेदाय सर्वमिति न्यायेनाह । स्वयमेवेति । तथा च नारदः 'न स्त्री पतिकृतं दद्यादणं पुत्रकृतं तथा । अभ्युपेतादते यद्वा सह पत्या कृतं भवेत् ॥ द्यादपुत्रा विधवा नियुक्ता या सुमूर्षुणा । यो वा तद्दक्थमादद्याद्यतो ऋक्थं ऋणं तत ' इति (अ. १ श्लो. १६–१७)॥ कात्यायनोऽपि "भर्त्रा पुत्रेण वा सार्द्धे केवलेनात्मना कृतं । ऋणमेवंविधं देयं नान्यथा तत्कृतं स्त्रिया । मर्तुकामेन वा भर्त्रा उक्ता देयमृणं त्वया । अपपन्नाऽपि सा दाप्या धनं यद्याश्रितं स्त्रियेति "॥

त्रय एवेति । एकश्चोऽप्यर्थे । एते त्रयोऽर्जितघना अपि अधना एत्र । अस्तामिनोधने स्मृता इत्यर्थः । यत्ते इति । ते भार्याद्यो यितंकचित्समिधगर्च्छंति धनमर्जयंति तद्धनं यस्त ते भार्याद्यस्तस्य भवतीत्यर्थः । 'यस्त ते' इति पाठः; 'यस्तेते' इति पाठांतरं ।

१ फ-तु पुत्रेण पौत्रेण । २ ग=ितृबद्धानि । ३ 'पुत्रान्नाध्याबहेयुरिति' गौतमीयपाठः । युक्ततरश्च । फ-नाधामवेयुरिति । ४ ख-अविशिष्टे । फ-अविसिष्टं । ५ ग-द्वंद्वयोषिद्धिः । ६ ख-व्याः स्. १।२।५९। ७-तृद्वणं; ग-तादृशं । ८ फ-समधिगमयंति ।

नन्वनेन तस्या निर्द्धनत्वे प्रतीयमाने सित 'प्रतिपन्नमित्यादि'वचनशतेर्देयत्वोक्ताविष कथं तया देयं निर्द्धनत्वादत आह । न चेति । न हीत्यर्थः । अनेन मनुवचनेन । अत एव शंकायामिति उक्तपारतंत्र्येऽपि तन्मात्रप्रतिपादनतात्पर्यकत्वादित्यर्थः । तथा चानुज्ञां विना नाधिकारः सातंत्र्येण यत्र कुत्रचित् विनियोगे । सत्यां तु तस्यां सोऽस्तीतिभावः ।

नन्वत्र किं नियामकं तथैवार्थः कुतोऽन्यो न अयमपूर्वो विधिरस्तु तथा चैतद्च-विषयत्वं तस्येति व्यवस्थासंमवाददोषोऽत आह । एतचेति । एवं सित तुर्यपादांशे एव शंकते । नान्यदिति । सिद्धेरिति । अर्थादिति शेषः प्राप्तेरेवामावादिति भावः । यथाकथंचित्स्वयंकृतस्थावश्यदेयत्वादाह । अनयोरिति । सुरेति । सुरापानादिव्यसनेनोपात्तं कृतमित्यर्थः । इतिरर्थसमाप्तौ । एतेनैतच्छेषविषयता प्रागुक्तनिषेधस्येति ध्वनयितुं पुनक्कं भनान्यदिति व्याख्यानमपात्तं तथा पुष्टेरभावात् ॥ ४९ ॥

सिंहावलोकनन्यायेन द्विर्बद्धमिति न्यायादरेणाह । पुनरपीति । कंचिद्विशेषं वक्तु-मितिभावः॥

## याज्ञवल्कीये ५० श्लोकः

वक्ष्यमाणक्रमायाह । पितेति । प्रागुक्तकमेणाह । प्रेत इति । प्रोपिते इत्यसार्थी दूर १५इति । सुरापानादिव्यसनाकांतऋणसादेयत्वस्योक्तत्वात् । व्यसनेत्यस्य व्याख्याऽचिकित्सेति। आदिना आधिः । देयमित्यस्य व्याख्याऽवर्येति, आवर्यके कृत्य इति भावः ।

द्वंद्वादुभाभ्यां युगपद्देयमिति प्रतीयमानार्थनिरासायाह । पुत्रेणेति । बहुवचनं वैयक्त्यभि-प्रायमतत्वादेवाह । पित्र्येति । पितुरागतेत्यर्थः । 'पितृधने'ति पाठांतरं । तत्र दाने । तुर्यपादा-र्थमाह । पुत्रेणेति । वक्ष्यमाणरीत्या साक्षिपदमुपठक्षणमित्याह । साक्ष्यादीति । सर्वसातुः २ • षंग इत्याह । ऋणमिति । अत्र छंदोऽनुरोधेन यथाश्रुतोक्तिक्रमेण आधीर्वशेषमाह । अत्रेति विश्वात् । विंशतेः पूरणात् । तत्र 'पितरी'त्युपठक्षणमिति सूचयन्नाह । पितृव्य इति । कनिष्ठनिरासायाह । ज्येष्ठ इति । इद्बाविभक्तत्वे तदीयधनग्रहणे चेति बोध्यं ।

द्वितीये विशेषमाह । प्रेतेऽपीति । पितरीति शेषः । अत्रे पुत्रादिरिति शेषः । तेनैव नार-, देनैव । आऽष्टमात् । आङभिव्यासौ । एवमग्रेऽपि ॥ तत्सादृश्ययुक्तस्यैव नाम शिशुरिति । भषोडशादिति । 'उटंतंपौगंड ' इति बालस्यैव संज्ञान्तरं । शब्दाते । कथ्यते । परतः । षो-डशवर्षादृष्वे । पितरावृते । तौ विना । तत कर्ष्ये तयोरभावे स्वतंत्र इत्यर्थः ।

नतु षोडशवर्षानंतरं तस्य तत्ववत्तयोरभावे स्वातंत्र्यमिति नियमो वचनबोध्योऽयुक्तः । ततः पूर्वमि पित्रोर्मरणे स्वातंत्र्यसिद्धेस्तथा च तद्वत्तस्यापि तद्दानाधिकारित्वमित्यप्राप्तव्यवहार-स्यापि ऋणं देयं स्यादित्यन्यथा प्रागुक्तमित्यत आह । यद्यपीति । पित्रोर्मेत्यर्थः । अपिना भै शिश्चसमुचयः । व्युत्क्रमेणोक्तिरियं । यथाहेति । यतः स एव आहेत्यर्थः । अप्राप्तिति ।

१ ख-शययभिप्रायमतत्वोदेवाह । फ-व्यत्तयभिप्रायं उक्तत्वोदेवाह ।

अप्राप्तव्यवहारः षोडशवर्षातिक्रमरहितश्चेद्यदि हि तदा तयोरमावात्स्वतंत्रोऽपि ऋणभाक् न भवतीत्यर्थः। अपिना अस्वतंत्रसमुचयः।

नतु तत्र तद्वत्सातंत्र्यमिपमाऽस्तु अत आह । स्वातंत्र्यमिति । हि यतः । स्वातंत्र्यं ज्येष्ठे स्मृतं । न तु तत्रैवेत्यर्थः । ननु तद्वत्तदा तद्पि नात आह । ज्येष्ठ्यमिति । तथा च तयोरभावादुभयकृतज्येष्ट्याभावात्तस्मिन् तत्त्वेन तत्त्वेऽपि न तत्त्वार्थे वचनमनुतत्त्वमित्युक्त- वचने तयोरभावाद्यः स्वतंत्रः स परतो व्यवहारज्ञः इत्यन्वयो न तु परत इत्यसाग्रेऽपीति । नकोऽपि दोषः । अतएव तथैव प्रतिज्ञातं ।

तत्राप्राप्तव्यवहारत्वदृढीकरणेनोक्तार्थे युक्तयंतरमि सूचयन्नन्यदृष्याह । तथेति । उक्त-निषेधवदित्यर्थः । आसेधोति । आसेधाह्वानयोर्निषेधोऽपीत्यर्थः । अन्यथा विरोधो दुष्परिहर इति भावः ।

विषभेति । संकटस्थाश्चेत्यर्थः । अत्र पञ्चानां निषेधः । एवं सित प्राप्तस्मृत्यंतरिवरोधं परि-हरित । तस्मादिति । यतोऽप्राप्तव्यवहारो न ऋणभागुक्तवचनात् तस्मात् इतिवचनिम्त्येवं व्याख्येयमित्यर्थः । अन्यथा विरोधो दुष्परिहर इति भावः ।

अतः पुत्रत्वात् । यत्नतः यत्नेन । तदेवाह । यथेति । तथा च जातमात्रपुत्रेण स ऋणा-न्मोच्यत इति नार्थः । किं तु व्यवहारज्ञतया जातेन । तद्दैर्घ्वर्षकेण तेन स ततो मोच्य १५ इत्यर्थः । नन्वेवं तस्र श्राद्धेऽप्यधिकारो न स्थात् उक्तव्यवहारानभिज्ञतया वैदिकव्यवहारानभिज्ञत्वस सुतरां सत्वादत आह । श्राद्धे त्विति । तु । उक्तवैलक्षण्येऽपि प्राग्वत् ।

न ब्रह्मोति । ब्रह्म वेदं नाभिव्याहारयेत् बालः स्वधाकारातः । निनीयते प्रणीयतेऽसिन् श्राद्धे तत्स्वधानिनयनं । ततोऽन्यत्र श्राद्धाद्न्यत्र नाभिभाषयेदित्यर्थः । अयंभावः । श्राद्धे वेदोच्चारणं कारयेद्यदि स्वयमनुपनीतः । उपनीतस्य स्वयमेवोच्चारणेऽधिकारात् । एवं च २० बालसापि प्रयोजककर्तृत्वप्रतीतिबलाद्यजमानताप्रतीतेरिधकारोऽस्तीति ।

वस्तुतस्तु ब्रह्म वेदमन्यो ऋत्विगादिः प्रयोजककर्ता । अनुपनीतं बाठं नाभिव्याहारयेत् । तं वेदोचारणे न प्रयोजयेत्स्वधानिनयनादन्यत्रेत्यर्थः। मनुरिप। 'न ह्यस्मिन् युज्यते कर्म किंचिदा-मींजिबंधनात् । नाभिव्याहारयेत् ब्रह्म स्वधानिनयनाहते' इति ॥ एवं च कृतचू ब्रस्तातुपनीतसापि श्राद्धेऽधिकारस्तस्य मुख्यत्वात् ॥ एवं च तदुपयोगितया तस्य मंत्र पाठोऽपि भवत्येवेति बोध्यं । १५५ 'कृतचू बस्तु कुर्वीत उदकं पिंडमेव च । स्वधाकारं प्रयुंजीत मंत्रोचारं तु कारयेत्' इति । नाध्यनाम्ना लिपितं वचनं यदि समूलं तदा मंत्रविषये विकल्पो द्रष्टव्यः ।

व्यक्तयभिप्रायेण कृतबहुवचनस्य फलमाह । पुत्रपौत्रेरिति । पंचम्यंतस्य गम्यत इत्यत्रा-न्वयः । भक्ता इति । तदेतिशेषः । कचित्पाठ एव । एवमग्रेऽपि । संभूयेति । मिलित्वा देय-मिति संकेतेनेत्यर्थः । मिलित्वा एकीकरणेन वा । अंशतो दानमत्रापि। पूर्वे तु मेदेन दानमत्र तु ६० मिलनेनेति विशेषः । अत एव नारदैक्यता । द्युरित्यस्मानुषंगः । इदमग्रे स्फुटीभविष्यति ।

१ फ-तदूर्ध्व वर्णकंकणतने ।

तद्विवादप्रकरणे इदमपि समप्रधानविषयमत एवाह । गुणेति । नाना । नानां तु । प्रधानिति । मुख्येत्यर्थः । उक्तत्रये मानमाह । यथाहेति । अतः पुत्रत्वाद्ध्वे पितुः तन्मरणाद्यन्तंतरं विभक्तावेत्यत एकत्रान्वयः । यथांशत इत्यसोभयत्रान्वयः । अनेन प्रकारद्वयमुक्तं । वृतीयप्रकारमाह । य इति ।

भ विशेषमाह । अत्र चेति । पुत्रपौत्रेरित्यिक्षिन् वचने इत्यर्थः । समं गृहीतसदृशं । मूळमेवेति । एवव्यवछेद्यमाह । न वृद्धिरिति । अत्र मानमाह । ऋणमिति । आत्मीयवित्यं सबुद्धिकदानमुक्तं । सममिति । अर्थात् पौत्रेण । तत्सुतिति । पौत्रमुतस्य प्रपौत्र त्रसंत्यर्थः । पुत्रपौत्रेरिति विशेषसानेन गुरुवाक्येन सामान्यपरेण सह्प्राप्तविरोधपरिहारः । 'सामान्यस्य विशेष उपसंहार' इतिन्यायेन । तंत्रांतरंगसिद्धेन कर्तुं यद्यपुचितस्तथापि । सामान्यसाधिकसंग्राहकत्वेन सफलत्वेन प्रवलत्वाद्विशेषस्य मृत्वेन दुर्वलवेन तथा प्रकृते दुर्वचिमिति वैपरीत्येन विरोधं परिहरित । अत्रेति । वृहस्पितवाक्य इत्यर्थः । अचीति । सामान्येनेत्यर्थः । इत्यत्र । मूलवाक्ये । प्रमाणोपेति । प्रमाणमात्रोपेत्यर्थः । तथा च येन केनापि प्रमाणेन साधितमृणं पुत्रादिना देयमित्यर्थेन न वचनयोर्मिथो विरोध इतिमावः । अत एव प्राक् तथा व्याख्यातं । अस्रोत्तरार्धार्थमाह । समित्यादि । विशेषांतरमाह । अमृत्विति । नन्वत्र किं मानमत आह । एतच्चेति ॥ ५० ॥

संगतिं प्रसंगरूपामाह । ऋणापेति । ऋणनिवारणे इत्यर्थः ।

## याज्ञवल्कीये ५१ श्लोकः

अन्यदीयेति । अन्यसामिकेत्यर्थः । अत एव च्विः । व्यतिरिक्तप्रकारमेवाह । विभागेति । एवमाद्यपार्दार्थमुक्तवा तत्तात्पयार्थमाह । एतदिति । न चौरेति । तस्य स्तयादिना तद्राहकत्वेऽ- व्यक्तरीत्या ऋक्थप्राहत्वाभावादिति भावः । द्वितीयपादार्थमाह । योपितिमिति । असा- भिमतार्थविशेषमाह । भार्यामिति । तथैव चेत्यस्य व्याख्या ऋणमिति । यद्वा तद्वदेवेत्यर्थः । तसानुषंगः । असापि ताल्पर्यार्थमाह । यदीति ।

ननु योषितोऽपि द्रव्यत्वेन रिक्थरूपत्वा'द्रिक्थयाह'इत्यनेनैवेष्टसिध्येदं न वाच्यमत आह । योषित् द्रव्यं भवति । तथापि ऋक्थशब्दवाच्यत्वं नास्ति तस्याः विभागाईद्रव्ये एव ठोके रिक्थ-३५शब्दप्रयोगात् योषितश्च विभागानईत्वादितिभावः । अविभज्येतिपाटः । ण्यदंतत्वात् ।

तृतीयपादार्थमाह । पुत्रश्चेति । न अन्यः अनन्यः इत्याद्यर्थातरनिरासाय तत्पदार्थमाह । अन्यमिति । तद्र्थमाह । मात्रिति । तुर्यपादार्थमाह । पुत्रहीनेति । ऋक्रिथन इति । प्रथमाबहुवचनांतमित्याशयेन सवचनविपरिणामेनानुषंगेणाह । ऋणमिति ।

एवं कर्त्रतरे उक्तेऽि कमो नोक्त इत्यतेषां ऋक्थग्राहादीनां मेळने केन कमेणेते ऋणं दाप्या ३० इत्याकांक्षाया अशांतिरित्यवतरणासंगतिरत आह । एतेषामिति । तमेवाह । ऋक्थेति । असित बाघके उपात्तवचनपाठकमत्यागे मानाभावादितिभावः । तुर्ये विशेषस्य वक्ष्यमाणत्वाद- त्रानुक्तिः।

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ननु रिक्थग्राहादीनां सित समवाये कमचिंता, स एव नास्तीत्याह । नन्येतेषामिति । तमेव तद्भावं कमेणोपपाद्यति । न भ्रातर इति । पितुः भ्रातरः पितरश्च न रिक्थहरा अपि तत्पुत्रा एव तथेति मनूकत्वात् पुत्रे सत्यन्यस्य तत्वासंभवात्पुत्ररिक्थग्राहयोर्मेळनं नास्तीत्यर्थः ।

ननु माऽस्तु तयोः समवायः पुत्रयोषिद्गाहयोस्तु संभवत्येवेति चेन्न । तद्भावादेव तयोस्तस्य दुर्वचत्वादित्याह । योषिदिति । अत्र हेतुमाह । न द्वितीय इति । द्वितीयभर्तृनिषेघादेव योषिद्शाहाभाव ५ इति भावः ।

पुत्र इत्यपि व्यर्थे पुनरुक्तं चेत्याह । तथा ऋणमिति । तत्र हेतुमाह । पुत्रेति । तथा चास्या-र्थस्य तेनैवोक्तत्वेन पौनरुक्त्याद्त्र पुनः कथनमयुक्तमिति भावः ।

एवं विशेष्यानर्थक्यमुत्तवा विशेषणानर्थक्यं भेदेनाप्याह । अनन्येति । अत्रोपपत्तिमाह । पुत्रे सतीति । अन्येनाश्रयणेत्यर्थः । तथा च तस्य सत्वे तस्यान्यागामित्वात्तद्व्यर्थमिति भावः । सत्यपि १० तिस्मिन् तत्त्वं अभ्युपेत्यापि दोषमाह संभवे चेति । तत्र सत्यपि यदि ऋक्थग्राहोऽन्यः संभवित तद् केवलं पुत्रो न ऋणं दाप्यः किं त्वनन्याश्रितद्रव्यः स्वयमेव तद्श्राहस्तदेत्येवं अत्र पक्षे तिद्दिशेषण-सार्थक्यमिति भावः ।

मूले यद्यप्यण्णंन्तं तथाप्यविशेषात् णिन्यंतेनाह । ऋकथमाहीति । वासरूपन्यायेनेति भावः । ' ऋकथभागुणं दाप्य ' इति पाठांतरम् ।

उक्तरीत्याऽत्र पक्षे विशेषणसाफल्येऽपि अस्यार्थस्याद्यपाद्नैवोक्तत्वात् विशिष्टं निष्फलं पुनरुक्तं चेति भावः । तुर्यपादानर्थक्यमप्याह । पुत्रेति । तदाशयमाह । पुत्रे इति । यत इत्यादिः । वचन-पाठकमस्य पावल्यात् तत्र सत्यपि स दाप्यस्तदा किम्रु वाच्यमसति तत्र स ऋणं दाप्य इतीत्येवं किम्रुतिकन्यायेनैवास्यार्थस्य सिद्धत्वादिद्मपि व्यर्थमिति भावः ।

एवं सर्ववचनमाक्षिप्य क्रमेण परिहरित । अत्रोच्यते इत्यादिना । पुत्रे सत्यन्यस्य २० क्रक्थग्रहणासंभव इति यदुक्तं तत्राह । पुत्रे इति । अत्र मानमाह । तथा चेति । वक्ष्यिति मूलकृत् । अन्यथाऽपि संभवं प्रदर्शयन् तत्र मानांतरमाह । तथिति । एकेषां, मते । यद्दा एकेषां साधुकृतानां पितृणाम् । यद्दा एकेषां साधुकृतानां पितृणाम् । यद्दा एकेषां साधुकृतानामन्येषां असवर्णपुत्राणां समवाये ।

उपसंहरति । अतश्चेति । उक्तदोषस्य दृढत्वात् योषिद्ग्राहसद्भावस्य क्रिष्टत्वसूचनाय तत्स-द्भावं शंकापूर्वकमाह । योषिदिति । शास्त्रविरोधेनेति पाठः । नञ्घटितोऽपपाठःशास्त्रेण भर्नेतर- २५ निषेधाद्यद्यपि स्त्रीणां द्वितीयः शास्त्रीयो नास्ति तथापि शास्त्रोछंघनकृतो योषिद्ग्राहत्वसंभवात्तादृशः स तत्पतिकृतक्रणनिवारणेऽधिकारी भवत्येवेत्यर्थः ।

नन्वेवं प्रकारेणास्तुं तत्संभवेंस्तथापि तस्य स्मृत्यंतरानुरोधेन तस्या अनेकविधत्वेनानेकविधत्वाद्-नियमेन सैवेंऽपि किंते तत्राधिकारिण इत्याशंकायां नियममाह । यश्चतसृणामिति ' निर्धारणे सर्वो षष्टी ' । प्रथमामिति गृण्हातीत्यनुषज्जते ।

स्वैरिणीनां चातुर्विध्यं पुनर्भुवां च त्रैविध्यं तत्र च तद्ग्राहेयोरवाधिकार इत्येतत्सर्वे नारदोक्त्या प्रकाशयति । यथाहेत्यादि श्रित इतीत्यंतेन ।

परेति । परः पितः पूर्वो यासां ता इत्यर्थः । तासां सप्तानां कन्यैवेत्यस्य व्याख्या । अक्षतेति । एवेन व्यभिचारकृतदोषनिरासः । तिहं किं पर्युंकोऽस्या दोषोऽत आह । पाणीति । तेनैव दूषिता नान्ये-

१ ख-णास्य २ ख-संभवे । ३ ख समवायो । ४ ख-किमयुक्तो ।

नेत्यर्थः । तथा च तद्वैास्या दूषकताबीजं नान्यत्तद्पि नाद्यं किंतु द्वितीयमित्याह । पुनः संस्केति । ईहशी या सा तेन पुनर्भुः पथमोक्तेत्यर्थः ।

देशेति । दानसंबंधिन इत्यर्थः । अन्यस्मै द्वितीयस्मै । सवर्णायासिपंडाय । प्रकृतेऽन्यसाहसा-संभवादाह । व्यभीति । अग्रेऽकारमञ्जेषः । पत्यौ जीवत्येव सित। कामात्स्वेच्छया। एवमग्रेऽपि । अन्यं यं कंचित् । कौमारमिति । अपूर्वपितं कुमारीमुपपचामित्यर्थः । प्राप्तानिति । नियोगविधिना प्राप्तान् देवरादीन् परित्यज्येत्यर्थः । परम् अन्यं । यं कंचित् । प्राप्ता देशादिति । देशांतरात्याप्ता सती या धनकीता भवति सा या च क्षुत्पिपासातुरा सती तवाहिमत्येवं प्राप्ता भवति सा च स्त्री चतुर्थी स्वैरिणी कथितत्यर्थः । अंतिमेति । तासां मध्ये याऽन्तिमा तासां मध्ये च याँ प्रथमा तेउँ प्यनुपा-श्रितौ तौ तयोः पतिकृतं ऋणं द्यातामित्यर्थः ।

१० तथा तद्दत् उभयवत् । अन्यः उभयान्योऽपि । तेनैय नारदेनैय वाचार्थं । क्रचित्र पाठ एव । अनेन विशेषणद्दयेनान्याश्रयणे आत्मादेर्धनस्य च रक्षणमात्रं निमित्तं न तु कामादिरिति सूचितम् । पत्यौ मृते इति शेषः । अस्या भर्तुरित्यन्वयः । व्यवहारानभिज्ञतया तया ऋणं न द्त्तमिति भावः । तथैव । यथा समागता तथैव । कथमपि सर्वथाऽस्पृष्टामिति यावत् । पेगतधनसहितेत्यर्थनिरासायाह । प्रकृष्टेनिति ।

१५ अन्यर्मैपि तमाह । तथेति । तदुक्तिरेवेयमपि । हिश्वार्थे । वोदुः पत्युः । अत्र हेतुमाह । सैवेति । चो ह्यर्थे । अस्य पत्युः ।

तृतीयपादे दत्तदोषद्वयसुद्धर्तुमादौ निशेष्यसाफल्यमाह । पुत्रस्योति । ' पुत्रोऽनन्ये ' त्यत्र पुत्रम्रहणसुक्तयोरुभावे तेन ऋणं देयमित्येवंविधकमबोधनार्थं न तु तत्र तस्याधिकारपद्र्शनार्थस्, येन पौनरुक्त्यं स्यादित्यर्थः । विशेषणस्यापि सार्थक्यमाह । अनन्यति । तस्य तत्त्वेन तत्राधिकारो न ए पुत्रत्वमात्रेणेति अंधादीनामन्याश्रितद्रव्यत्वेनांधत्वादिदोषयुक्तत्वेन पितृरिक्थांशयहणायोग्यत्वेन नाधिकारस्तत्र किं त्वनंधादीनामेन तत्त्वेनाधिकार इत्येतदर्थकत्या विशेषणस्य सार्थक्यमिति भावः । तथा च योग्यपुत्रत्वेन तत्राधिकारो न पुत्रत्वमात्रेणेति सूचनार्थम् एतदिति तत्वम् । एवं च पुत्रत्वेनेत्यादि यत् पुत्रपौत्रेरित्यत्रोक्तं तद्ययेवंपरत्या व्याख्येयमिति न प्रागुक्तविरोऽधोपीति बोध्यम् ।

तुर्यपादे दत्तदोषमुद्धराति । पुत्रति । पुत्रवि । पुत्रवि । पुर्वते । पुर्वते । पुर्वते । पुर्वते । पुर्वते । प्रियोरेनोपात्तत्वान्नातिप्रसंगः । 'रिक्थिन इति ' प्रथमाबहुवचनातमवेत्याह । प्रपौत्राद्धयहित । तद्र्णिमिति । तद् । प्रितामहस्य ऋणिमित्यर्थः । नान्यथ्या । तद्रीयरिक्थयहणाभावे । रिक्थभाज एव प्रपौत्रादेस्ताद्धशपितामहादेर्ऋणदानेऽधिकारो नान्यस्येत्येतत्यतिपाद्कतयेद्मिप सफलमिति तात्य-र्यार्थः । तद्धीनत्वनिवेशस्य फलमाह । पुत्रपौत्रौ त्विति । योग्यावित्यर्थः । अत एव तत्र नातिपसंग इत्युक्तम् अनुपद्मेव । इत्युक्तमिति । पुत्रपौत्रौर्कण देयमित्यत्रेत्यर्थः ।

३० अत्र नान्यथेत्यत्र संवादमाह । यथाहेति । अव्याहतं निष्कपटम् । कमात्पाप्तमित्यस्यैव व्याख्या पुत्रेरिति । तत् ऋणम् । चतुर्थात् रिक्थगाहिण इत्यर्थः । आरभ्येति शेषः ।

नतु स्वरसतो न ततस्तदर्थपतीतिः। किंच नारद्वचनः सामाम्येनैव निषेधपतीतिस्तत्संकोचे दृढतर-मानांतराभावश्चातस्तं तुर्योशमन्यथा व्याचष्टे। यद्वेति । पुत्रस्तादृशः। उक्तमिति त्रयाणां कमः पागुक एवेति भावः । तत्र दितीयर्तृतीययोर्वैपरीत्यमपीत्याह । पुत्राभावे इति ।

१ ड-इदमेव । २ २ क-यामा । ३ ड-नैयो अनुपाश्रितौ । ४ ख-पत्तौ । ५ क-प्रगत् प्रगत- । ६ ड-अन्यमुचित-माइ । ७ ड-विशेषणस्यापसार्थक्यम् । ८ क-द्वितीयावृतीयवैपरीत्य ।

अत्र पक्षे तेषां बहुत्वासंभवात् तद्वहुँवचनासंगते रिक्थिन इति पंचम्यंतम् । विभक्तिलिंगविपरि णामने ऋणं दाप्य इत्यस्यानुषंगात्तस्य यो रिक्थी तस्माद्यणं दाप्यमित्यर्थस्तदेतत् ध्वनयन् फलितमाह । योषिद्याह इति ।

ननु 'रिक्थिन ' इत्यतः कथमुक्तार्थलाभोऽत आह । ऋक्थेति । पक्तते इति शेषः । अतो न पूर्वविरोधः । अन्यथाऽनुपपत्तिस्तु न । उक्तवक्ष्यमाणप्रकाराभ्यां व्याख्यानसंभवादतोऽत्र साधकांतरं प्राग्रुक्त-नारदंभेवादावाह । सैव चेति ।

साधकांतरमाह । य इति । अत्र यो यस्य दारान् हरते स तस्य धनमपि हरेदिति न विधिर्बोध्यः कामात्, किंतु यतो दारा एव धनमतो यो यस्य दारान् हरते तद्यपदेशभागिव तद्धनहा- शीति व्यपदेशभागिप भवतीत्यर्थः । अस्य चोपयोगः प्रायश्चित्तादौ बोध्यः ।

पुत्रस्ताँहराः । ग्राह् इति । 'क्रणं दाप्य ' इत्यस्यानुषंगः । विरुद्धिमिति । द्वितीयतृतीययोर्यः १० क्रमः प्रागुक्तस्तद्विपरीतस्तुर्यते एवं व्याख्यायां प्रतीयत इति मिथः क्रमे विरुद्ध इत्यर्थः । दोषांतरमाह उभयेति । द्वयोः सत्वे मिथ अभावोपँ लक्षितयोरेव तयोस्तत्पद्वत्विनयमेनोपलक्षकाभावे सति केनापि क्रणं न देयं स्यादित्यर्थः । इर्ष्टापत्तिस्त्वत्र न । 'यदा तु न सकुल्याः स्युर्न च संबंधिबांधवाः ॥ तदा द्वाद्विजेभ्यस्तु तेष्वसत्स्वप्सु निक्षिपेत् ' । (नारिद्ये १११३) इति तस्यावश्यदेयत्वपतिपादकस्मृ-तिविरोधापत्तेरिति भावः ।

नैष इति । जातावेकवचनम् । प्रागुक्ताः प्रकृतोपयुक्ता अपि योषिद्याहा अनेके यद्यपि तथापि कोटिद्दयं तेषां कार्ये, आंतिमस्वौरिणीयाही प्रथमपुनर्भ्याही सप्रधनस्त्रीयाही चेत्येका कोटिः, निर्धननिरपत्यस्त्रीयाहीति त्वन्या कोटिः । एवं सति व्यवस्थासंभवाच दोष इत्याशयेनायकोटचाशयेनायपक्षमाह । अंतिमोति । यत इत्यादि । एवं चैतत्कोटचंतर्भूतयोषिद्याहाभावे पुत्र ऋणं दाप्य
इति तस्यार्थ इति भावः ।

दितीयकोट्याशयेन दितीयपक्षमाह । पुत्राभावे त्विति । तथा च तद्भावे एतद्बोध्य योषिद्याहो ऋणं दाप्य इति तद्र्थः। तथा च यदि सामान्येन तत्तद्भावे स स दाप्य इत्युक्तं स्यात्तदोक्त-दोषः स्यात् । तदेव न, किंतूक्तरीत्याऽवांतरभेदपुरस्कारेणेति न कमैंविरोधो नापि तद्वचनिरोधो ऽवश्यदेयत्वस्यैवानेन प्रतिपादनादिति भावः ।

ननु विनिगमकाभावे वैपरीत्यमेवकुतो न ? अत आह । एतदेवेति । एवेन तद्यवच्छेदः । २५ एवंच तद्नुरोधेनैवमेवोक्तं नत्वन्यथा तद्विरोधापत्तेरिति भावः । अभ्यहिंतत्वाद्धनस्य पूर्वनिपातः । पुत्रयो-रितीति पाठः । धनस्रीहारिणौ च पुत्रश्चेति दृंद इत्याशयेन च्याचष्टे । धैनेति । शेषमाह । समिति । छिङ्थीविवक्षया आह । हरते इति । क्षचिद्त्रापि हरेदित्येवपाठः । स्त्रीधिननोरिति । अभ्यहिंतत्वाविव-क्षयाऽल्पाच्तरत्वेन स्त्रीशब्द्स्य पूर्वनिपातः । इन्यंतेन द्वंद्वेनेन्यंतयोरेकशेषेणैवेधीर्थलाभादाह । स्त्री चेति । भवेति । भवेति

१ क-उ-तत्र । २ क-ड-बहुवचना-। ३ क-इति पुत्रस्तादृशः यस्य दारान् हरत् । ४ ख-तादृशमाह-। ५ ड-तुर्थस्य ६ ख-लक्षितयो-। ७ ख-स्वल्पपदलिनियमेन । ८ क-ख-द्रष्टापिति स्वजन-। ९ क-अवितरे । १० क-क्रमे विरोधो । ११ पृ. ३५ पं. ९।१२ ख-क-इष्टार्था-लाभादाह ।

नन्वद्मपि व्याख्यानमयुक्तम्; उक्तस्मृतिभ्यां स्त्रियो धनत्वलाभेऽपि ऋक्थत्वालाभात्, तमेव द्रव्ये तत्प्रयोगात्, लोकप्रसिद्धितः शास्त्रप्रसिद्धेः पाचल्याद् आह । पुत्रहीनस्येति । प्रतिज्ञातः व्याख्यानांतरमेवाभिधातुमादावाकांक्षापूर्वकमर्थसिद्धं किंचिदाह । एते द्राति । रिक्थेत्यौदिद्रव्य इत्यं, तेनोक्ता इत्यर्थः । ऋणं दाप्या इत्युक्तेराकांक्षोद्यादिति भावः ।

अत्र पक्षे रिक्थिन इति तस्य तत्त्वविषक्षया पष्टचंतिमिति तद्नुरोधेनाह । कस्येति । एवमग्रेऽपि उत्ति । आदौ तस्यैवोपिस्थितेयोग्यत्वाच । आदिना पात्राद्मिष्टणम् । एवमर्थासिद्धमुक्त्वा तद्गह् । पुत्राद्यभावे इति । पुत्रपद्मुपलक्षणिति सूचयन्नर्थमाह । पुत्राद्यति । अन्वयो वंशपरंपरा ।

नन न सामानाधिकरण्यं बाधितार्थकत्वादत आह। यो रिक्थाति । तद्सत्वेऽपि निर्वाहार्थमाह। योग्यं इति । तस्येति । ताहशस्य सपिंडादेः एते रिक्थमाहाद्यः पूर्वोक्तक्रमण ऋणं दाप्या इत्यंधः। १० वचनविपरिणामेनाह । दाण्या इति । अत्र मर्वत्र मानमाह । तथा चेति । अंग्रं ऽन्त्रयः । तस्य त यद्देयं तत्सान्वयस्यत्यर्थः । सः यस्य देयं सः सान्वयः बाह्मणः । एवमयेऽपि । उभयञ्च चश्चेदर्थे । तदेति शेषः । निर्वपेत् पक्षिपेत् । कुल्येषु तत्मकुल्येषु तहणमिति शेषः । अस्य बाह्मणस्य उत्तमर्णस्य । एवं पागपि । निर्वपेदित्यस्यानुपंगोऽअग्रे । सगोत्रमपिंडाः सङ्ख्याः । असगोत्रसिं डा बंधवः । संबंधी उक्त एव । अनेन पुत्राद्यन्ययाभावे सिपंडाद्यभावे च कस्य ते दाप्यास्तदित्यप्या-१५ कांक्षाशांतिः कृता । अत्रैते 'धने' त्यादि 'तत्पुत्रादि'रित्यंतनोक्तार्थेऽर्द्धश्लोकः किंचिन्युनो मानं। ' पुत्राद्यभावे ' इत्यादि ' दाप्या ' इत्यंतेनोक्तार्थ श्लोकद्दयं तावन्मात्रन्यनं मानम् । स चार्थोऽने-नान्वयव्यतिरेकाम्यां हृद्धीकृतः । तत्र ' निर्वपेदि ' त्यंतेनान्वयः । तद्वन्वयाभावे । तत्सक्कल्यादिष निर्व-पेदित्यन्वयमुखेनाभिधानात्; 'यदा तु नसोति शब्यतिरेकः । तथा च सक्ल्याद्यभावे एव दिजादौ निक्षिपेदित्युक्त्या सत्सु तेषु दिजादावृणदानिवेधध्वननद्वारा प्रागुक्तार्थहृहीकरणिमिति भावः ॥ ५१ ॥ संगतिमाहाधुनोति । तुर्यपाद्स्य चरमव्याख्यानेन रिक्थ्येन ऋणं २० गण्हीयात्रान्य नियमलाभेन रिक्थग्रहणायोग्यपुरुषिकशेषस्य ऋणग्रहणानिवधस्याप्यर्थाहाभेनाार्थकऋणग्रहणप्रतिषेध पुरुषविशेषे वक्ष्यमाणेऽन्यद्पि प्रातिभाव्यादिकमपि अवांतरप्रकरणमिदं वक्तं प्रति-षेधतीत्यर्थः । अपिना ऋणग्रहस्यापि समुचयः । अन्यंथतत्यकरणे एतदसंगतिः स्पष्टेवेति भावः । इदं च क्रणग्रहणप्रतिषेधप्रसंगादिति काचित्कासंबद्धपाठाभिप्रायेण व्याख्यातम् । वस्तुत्मत् क्रणग्रहणं प्रतिषेष २५ न्यसंगादिति प्रचुरः पाठो युक्तश्चेति बोध्यम् । तदा अधुना अधमणीयपंचविधग्रहणधर्मादिकथनानंतरं वक्ष्यमाणे पुरुषविशेष ऋणग्रहणस्य प्रतिषेधं दुर्वन् तत्प्रतिषेधप्रसंगात्तदर्थं प्रातिभाव्यादिकमपि प्रति-षेधतीत्यर्थः । अपिः गाग्वत् । तद्सङ्गतिः स्पष्टैवेति भावः ।

#### याज्ञवस्कीये ५२ श्लोकः।

अथेति सर्वादौ योज्यम् । उच्यते इति शेषः । एतद्र्थं एवाधुनेत्यादिनोक्तः । पदार्थमुक्तवा ३० वाक्यार्थमाह । भ्रातृणामिति । चः पितापुत्रयोर्मिथःसमुच्चायक इत्याह । पुत्रयोरिति । सर्वसमुच्चायकेह्यर्थमाह । चेति । 'अवी 'त्य स्य भावप्रत्ययांतस्य न भावादि्धर्मपरत्वं तस्य स्वत एव सिद्धत्वात् । द्रव्यद्वारकविभागमहणे क्रिष्टत्विमिति सूचयन् कर्मप्रत्ययेनाह। द्रव्ये इति सत्सप्तमी। स्पष्टत्वायैतद्र्थमाह । द्रव्य इति । ऋणं तत् महणं । नेति एवान्वयः ।

१-पृ. ३५ प. १३॥२-५१ श्लोकस्य चरणत्रये आद्य उक्ताः । ३ उक्तमर्णस्योति । ४ रिक्थग्रहणयोग्य इति । ५ इ-इस्यर्थे वचन ६ द्रव्यविभागात्मागिति ।

अत्र 'तु' सूचि 'तेव' व्यवच्छेद्यतात्पर्यार्थनोधकवाक्यांतरमाह । अपि त्विति । तैरेनेति भावः । तत्र हेतुमाह । सौधिति । कर्मधारये हेतीर्वैयधिकरण्यापत्तिः । अतः साधारणं समुद्दितं सर्वस्वत्वान प्रने धनं येषां भ्रात्राद्दीनां तेषां भावस्तत्त्वं तस्मादित्यर्थः ।

नन्वेतावताऽपि कुतस्तद्भावोऽत आह । प्रातीति । क्रमे तात्पर्यात्पूर्वनिपातः । पृक्षे अधमर्ण-कृतद्गनाभावपक्षे । द्रव्यति । द्रव्यस्य तद्दानस्यावसानं पर्यवसानं ययोस्तत्वादित्यर्थः । तत्र यद्यपि द्गनपितमुवि निःसंदिग्धिमदं तथाऽपि वक्ष्यमाणरीत्या द्र्शनप्रत्ययपितमुवीरिव साक्षिणोऽपि तद्स्तीति स्फुटीभविष्यति । साधारणेन धनेन तु इद्मेकेन कर्तुमशक्यिमिति तात्पर्यम् । अत एव विशेषमाह । एतच्चिति। अविभक्तानामपि । भ्रात्रादीनाम् । नन्वेवम् ' अविभक्ते ' इति वाक्यार्थविशेषणं व्यर्थमत आह । विभागादिति । अपिना तस्या अपि समुचयः । एतदिशेषवोधकमेव तदिति भावः ।

दंपत्यंशे यत् प्राग्तकं तत् तत्राविभक्ते इत्यास्यानुपपत्त्या आक्षिपति । तस्याति । अत्र हेतुमाह । १० तयोरिति । तयोर्विभागस्यैवाभावेन तदंशेऽविभक्ते इति वाक्यार्थविशेषणानर्थक्यादित्यर्थः । तथा च तयोः सार्वकालिकर्तविषेधे वाच्ये तथा निषेधोक्तिरयुकेत्यर्थः ।

ननु तत्रैव किं मानमत आह । विभागोति । अर्घीगीकारेण परिहरति । सत्यमिति । आपस्तं-बार्थमाह । श्रोतिति । न पुनः । न तु । विभागेत्यस्यानुषंगः ।

ननु तथैवार्थः कुतो नातो हेतुमाह । तथाहीति । हि यतस्तथोक्ताशयेनैवसुक्तवानित्यर्थः । १५ पाणीत्यादि व्याच्छे।यस्मादिति । हार्थोऽयम्। कचिद्धि यस्मादित्येव पाठः । तस्या हेतुत्वेन पंचम्यु-पपत्तये आह । आरभ्येति । सहत्वं साहित्यम्। श्रुतिमाह । जायेति । आकांक्षाशांतये पूरयति । तस्मादिति।सहेति । तच्छ्वणादित्यर्थः । कार इति । सिद्ध इति । तयोस्तव्यविभागो नास्तीति शेषः । श्रोते उक्तवा स्मार्ते आह । तथोति । अग्निसाध्येष्विप कर्मस्विति । अग्निसाध्येषु कर्मस्विपात्यर्थः । एवेन विभागव्यवच्छेद इति तछाभः। एवमुभयत्र सहाधिकारविधिवलाद्धीसिद्धमर्थमाह । २० अतश्चेति । पूर्तेषु तडागादिषु । 'पूर्तेर्खातादिकर्मणी' त्यमरः। तथा पुण्योति । व्याचेष्टे । तथिति । विद्यीति । विद्यानि । विद्यीति । विद्यीति । विद्यीति । विद्यीति । विद्यीति । विद्यानि । विद्यीति । विद्यीति । विद्यानि ।

नन्वेवं सर्वत्र तत्वे सर्वकर्मसु तत्वापत्त्या पूर्तेष्वापि पागुक्तपृथगिधकारो न सिद्धचेदतो निष्ट्वष्टार्थमाह । येष्टिवति । पुनः तु ।

' द्रव्येषु चे ' त्यंशं द्रहियतुमाह । ननु द्रव्येति । यथा तद्वलादुक्तस्थले सहत्वं विभागाभावश्च तथा द्रव्यस्वाम्योपि सहत्वविधायकवचनवलात् सहत्वसिद्धचा द्रव्यसाध्यपुत्रादिफलेष्विप दंपत्योः सहत्वा-पत्तिः । सहितयोरेव द्रव्यस्वाम्यात् द्रव्यस्याविभाज्यतापत्तिरिप । तथा च द्रव्येऽपि दंपत्योविभागाभावात् प्रागुक्तदोष एवेति भावः । उक्तं आपस्तवेन । तमेवाह । द्रव्योति । पाणिग्रहणाद्धि सहत्वमित्यनुवर्तते । तत आरभ्य द्रव्येषु परिग्रहेषु पुत्रादिजनेषु च सहत्वमेव दंपत्योरित्यर्थः । अत्र हेतुमाह । न हीति । ३० भर्तुविभवासे विशेषेण प्रवासे सित भार्याया नैमित्तिकद्गनिषये हि यतो न स्तेयं चौर्यमुपदिशन्तीति । द्रव्यस्वाम्येऽपि सहत्वविधानात्तर्द्वंद्रव्येऽपि विभागो नास्तीत्यर्थः ।

१ साधारणधनत्वादिति । २ क-ख-सर्वस्वत्वाकांतं । ३ ख-तद्विशेषणांशे आक्षिपति । ४ ड-सार्वकाल्कितया । ५ अ. को. २।७।२८ । ६ ख-तद्वत्तथात्र तन्मात्रविभागो नास्ति ।

पत्तिः । सजातीयस्थले उक्तं 'एकच्छायाश्रितेष्विति ' तत्प्रतिकं घृत्वा पदार्थकथनपूर्वकं व्याचि । एकोति । सादृश्यं विशद्यति । अधमणं इति ।

प्विमिति। स यथा दर्शनाय विश्वासाय च स्थितः एवं तेऽपीत्यर्थः। एब्बित्यस्य व्याख्या भिताति। कामिनिति। द्यादिति शेषः। रुचिबीजं कथयन् तात्पर्यार्थमाह। अतश्चिति। आदिना सत्यवाक्क्त्वाभि जात्यादि। स्वार्थे स्वधनम्। विशेषमाहै कोति। तेषां मध्ये इत्यर्थः। सः सोऽपि। सर्वे सदृष्टिकम्। मृते तु किसिश्चित्तादिति। तेषां मध्ये किसिश्चित्पतिभुवि मृते इत्यर्थः। वैलक्षण्य-सूचकस्तुः। अंशिमिति। अवशिष्टं त्वर्थाद्वशिष्टानां मध्ये यथारुचि द्याप्य इति भावः। एकेति। तेषां मध्ये पदार्थः यस्त्र हश्यते यो धनिकच्छाविषयत्वेन ज्ञायते तेषां मध्ये किसिश्चिद्देशांतरं गते सति तत्सुतोऽपितिद्च्छ्या सर्वे द्याप्यः। तेषां मध्ये किसिश्चिन्मृते तु तत्सुतः स्विपञ्चमंशमेव द्याप्यो न सर्वम्। १० तत्रापि समम् अवृद्धिकमेवेत्यर्थः। पित्रशमिति पाठः। पित्र्यंशमिति पाठे ' शकंध्वादित्वं । बोध्यम्॥ ५५॥

संगतिमाह । **प्रातीति । दत्तस्य प्रतिकियाविधिमिति ।** पळायनं कृत्वा पुनः परावृत्तस्या धर्मर्णस्योति भावः ।

## याज्ञवल्कीये ५६ श्लोकः।

१५ यत्विति पाठं सूचयनाह । यदिति । धनमित्यस्य व्याख्या द्रव्यमिति । ऋणमिति पाठांतरम्। पतिसूत्रहणमुक्तरीत्योपलक्षणमित्याह । तत्पुत्र इति । विशेषमाह । धनिकनिति । धनिना इति पागवत् । विशेषोक्तिव्यवच्छेयमाह । न पुनरिति । न तु इत्यर्थः । विशेषे मानमाह । यथाहेति । ऋणिके मत्वर्थीयष्टन् । राजेति शेषः।

उत्तराधीर्थमाह । ऋणिकौरिति । भवेदित्यस्य व्याख्या स्यादिति । विशेषमाह । तञ्चोति । २० तच्च हिगुणमित्यन्वयः । कालेत्यस्य व्याख्या सद्य एवेति । वचनेति । प्रतिभूरिति वचनेनेत्यर्थः । अन्यथैतदानर्थक्यं स्पष्टमेव । तथा तस्य प्रागेवोक्तत्वादिति भावः । अनुपदं वस्नाद् । विशेषस्य वक्ष्यमाण-त्वादाहैतच्चेति । न वस्नधान्यादि विषयकमित्यर्थः ।

वचनस्यान्यविषयतया 'तैचेत्या' युक्तविशेषमाक्षिपति । निन्वद्भिति । उक्तवचनित्यर्थः । मात्रपदेनोक्तविशेषव्यवच्छेदः । पूर्वोक्ति । पूर्वोक्तः, काले मासादो कलावृद्धिस्तस्या यः कमस्तद्बा-२५ धेनापीत्यर्थः । स्वकृतवृद्धमुसारेण यदा कालांतरे हैगुण्यमेति धनं तदेव दत्तद्वयाय प्रतिभुवे द्विगुणं दा-तव्यमधमर्णेनेति हैगुण्यमात्रपाद्केनानेन वचनेन बोध्यते । अन्यथा तु यावती वृद्धिस्तत्सिहतं मूलं धनं देयं न द्विगुणमिति सद्यो द्विगुणदानमयुक्तमिति भावः ।

अबाधनोपपत्ती दृष्टांतमाह । यथिति । चतुर्थे तृतीयपादे अन्तिमाधिकरणम् । 'फलसंयोगस्त्व-चोदिते न स्यात्संयोगस्याशेषभूतत्वादिति'। 'वैश्वानरं द्वाद्शकपालं निर्वपेत्पुत्रे जाते' इत्यादि श्र्यते । इत्यादि श्र्यते । तत्र संशयः, पुत्रजन्मानंतरमेवेयमिष्टिः कार्योत जातकर्मानंतरमेवेति । निमित्तस्य पुत्रजन्मनो नियोज्यविशेषणत्वेन निमित्तानंतरमेव कार्येति जातकर्मणः मागेवेति पूर्वपक्षः । सिद्धांतस्तु, न केवलं जन्मविशेषणं नियोज्यस्यापितु पुत्रगतपूतत्वादिकमपि । एवं च जन्मपूतत्वरूपिनिमत्त्योः संवलितयोरेव नियोज्यविशेषणत्वं । पुत्रगतपूतत्वादिकं च पुत्रे जीवत्यभिलाषितं पितुर्न तद्दैपरीत्ये । जीवनं च

१ एकच्छायाश्रितेषु इति । २ ख-ड-सप्तदृशाधिकरणे द्वितीयवर्णकं । तेषांमध्ये यथाकाचि दाप्य इति भावः । ३ व्याः सूः ६।११९२ वार्तिकम् । ४ ख-क-धानिनामिति । ५ ख-क-विषयता तच्चेत्याशुक्तः । ६ ख-क-प्रथमाः चिकरण-। ७ ख-नियोज्यमाविशेषणत्वम् ।

स्तनपानादेव । स्तनपानं च जातकर्मणः पाङ्निषिद्धं अतो जातकर्मानंतरमेवेष्टिः। एवंच जन्मानंतरमान्विन्या इष्टेर्जातंकर्मानंतरमुत्कर्षे आशौचानंतरमेव कार्या न जातकर्मानंतरम् । कालशौचरूपांगत्यागे मानाभावात् । श्चिना कर्म कर्तव्यमित्यस्यापवादाभावादिति । इदं च गुरुमतेनोक्तम् । भट्टमते तु संशयातं प्राग्वत् । निमित्तानंतरं नैमित्तिकस्यावश्यंभावित्वाज्जन्मन एव निमित्तत्वाज्जन्मानंतरमेवेति पूर्वपक्षः । सिद्धांतस्तु वाक्यशेषश्चतपुत्रगतपवित्रत्वादिक्षलकामनावान् वैश्वानरेष्टावधिकारी । तच्च फलं जीवत्येव पुत्रेऽभीष्टम् । जीवनं च शिशोर्जातमात्रस्य स्तनपानायत्तमेव । तच्च स्तनपानं जातकर्मानंतरमेव न ततः प्राक् । अतः पुत्रगतपवित्रत्वादिक्षलावरोधने जातकर्मानन्तरमेवेष्टिरिति ।

एवंस्थिते तृतीयवर्णके ऽन्याँ चिंता, जातकर्मानंतरमेवेष्टिरुताशीचाँपगम इति । तत्र तद्गतोक्त-रूपपयोजनवशाज्जनमरूपनिमित्तानंतरपाप्ताऽपीयमिष्टिजीतकर्मानंतरमृत्कृष्टा ।

एवमुत्कृष्टायाः पुनराशौचानंतरमुत्कर्षे प्रयोजनाभावात् जातकर्मानंतरमेवेति पूर्वपक्षे उच्यते । १० निमित्तानंतर्यमिष्टेस्तावत् बाधितमेव । तद्गतोक्तप्रयोजनवशात् । बैं।धिते च निमित्तानंतर्ये ग्रुद्धकालप्रतीक्षया आशौचापगमे पौर्णमास्याद्कि काले कार्या । ग्रुद्धकालस्याप्यंगत्वात् । ग्रुचिना कर्मेत्यस्यापवाद्।भावादिति । तथा च शुद्धकालरूपंगमबाधित्वैव जातेष्टिविधानम् ।

तथा अशीतिभाग इत्यादिना प्रागुक्तो यः कालकमेण वृद्धिक्रमस्तमवाधित्वैव हैगुण्यविधानमिति सयो न हैगुण्यमिति भावः । अत्र सयो हैगुण्यदानपक्षे अये अनुपपत्तिमप्याह । अपि च सद्येति । १५ दिगुणवृद्धिसहितेत्यर्थः । सद्यो हैगुण्यं नाम सद्य एव वृद्ध्या सह हैगुण्यं न स्वरूपतः । वृद्धिस्तु पशुस्त्रीणां संतातिरेव 'संतितस्तु पशुस्त्रीणां ' इत्युक्तत्वात् । तथा च सद्यस्तथा हैगुण्यदानपक्षे पशुस्त्रीषु सद्यः संतत्यभावानमूलमात्रमेव देयं स्यादिति, 'संतितः स्रीपशुष्वेवेति वक्ष्यमाणमुपपन्नमित्यर्थः । वस्त्रेति । यत इत्यादिः । वस्नेत्यादिवचनारंभसामर्थ्येनैव तत्कमेण हैगुण्यादेः प्राप्तौ पुनरत्र तथातादिधिव्यर्थ इति, पूर्वापाप्तं सद्यो हैगुण्यमेवागत्यावश्यं विधेयम् । दृष्टांते तु तिहिधिवाक्यस्यानर्थक्याभावाच्छुचिने- २० त्येतद्वाधेनाप्युपपत्तिरिति विशेष इति तहैषम्यमिति भावः ।

एवमायदोषमुद्धृत्य दितीयदोषमुद्धरित । पशुस्त्रीणां त्यिति । तथा च तत्संभवापेक्षं न तु नियतिमिति भावः । अम्युपेत्येदम् । वस्तुतस्तद्युक्तमेवेति सूचयन् तदा तत्संभवमप्याह । यदेति । तावता कालेनेति पाठः । संघाति । तेन सह संगतो भवतीत्यर्थः । सद्यः संघटनपक्षे आह । यद्वेति । प्रतिभूकर्तृकद्वयदानात्पूर्व अधमणस्य पलायनद्शायां विद्यमानता- २५ दशायां वा जातेत्यर्थः । अथास्य वचनस्य विषयविशेषपर्यवसानद्वारा कालक्रमेणैव द्विगुणद्वान-विधिपरत्वाक्षेपाय तद्वपयुक्तं किंचिदाह । अथिति । उच्येतेति शेषः । नच नहि । नारद्माह । यथाहेति । यत्किचित्पतिभूद्वं धनिकद्वं वा । पंचकिमितिं । माग्वत् । तमेवाक्षेपमाह । अतश्चेति । अस्य मतिभूसंबंधिनः । यावत् दिगुणमित्यव्ययीभावः । पीतिद्वस्थलेऽयाचिते तद्भावस्योक्तत्वेन मतिभूद्वस्थापि ताद्वशस्थक्तिराया तथात्वेन वृद्धभावे माप्ते तद्पवाद्त्वेना- ३० याचितस्यापि तस्येदं मतिपाद्यत इत्यर्थः । अस्यार्थस्योति । वाक्यार्थे हि वाच्यो लक्ष्यो व्यंयो वा भवेत् । तन्नायं नादः, अपतीतेः; न दितीयः, मानाभावात्, अत एव नात्य इत्यर्थः । तदाह । द्विगुणमिति । उपसंदरिति । तस्मादिति ॥ ५६॥

१ स्न-जन्मातनंतरम् । २ क-अन्यजिता । ३ स-आशीचानंतरम् । ४ क-वर्षितं च । ५ स्न-पुत्ररप्तथा तद्दिाधिर्यया इति पूर्वापाप्तं सद्योद्देगुण्यमेव मेत्यावस्यं विषेदः । क-आनवाञ्छुषिने ।

## याज्ञवल्किये ५७ श्लोकः।

सर्वत्र। वस्रादावि। 'अल्पाच्तरत्वात्' स्त्रियाः पूर्विनिपातः। (व्या.सू. २।२।३४॥) तेषु संतितिवे त्यर्थः। प्रागुक्तरीत्यैवाह। कालानादेति । वृद्ध्या सह । आंधिवर्ण्यम्। सामान्यतः सर्वतात्पर्यमाह। यस्येति । विशेषमाह। यदा त्विति । संप्रेति । प्रतिज्ञाते प्राप्ते इत्यर्थः । तत्र पक्षत्रये । एवमग्रेऽपि । अत्र मानमाह । नष्टस्योति । परम् अधिकम् । काले इति । परस्मिन्निप काले । यदि स न तथा कुर्योत्तदा तस्मिन् काले व्यतीते तु सति सः तं निवंधं तमर्थं दापथेदित्यर्थः।

उक्तप्रकारमन्यज्ञातिदिशाति। प्रेते चेति। अधमणें इत्यर्थः। विशेषांतरमाह। लग्नकोति। प्रितृष् विशेषिनिषेघोऽपीत्यर्थः। केषांचित् प्रतिभूत्विनिषेघ इति यावत्। तेनैव कात्यायनेनैव। अञ्च स्वाभित्वादिकं स्वनिक्पितं प्राह्मम्। क्वचित् क्वापि। रिक्थी पुञादिः। दातुं धनिमाति शेषः। जीवािक्वाितायस् १० पिता जीवन् जीवति। 'व्यत्ययेनैं शता। आस्ते इति शेषो वा। सोऽपि चेत्यर्थः। तैथैवेच्छेति। अस्वेच्छाचरणशील इत्यर्थः। स्वेति प्रतिभूत्वकरणमभिसमीक्ष्येत्यर्थः। प्रतिभूः स्विक्वयेति पाठांतरम्। अञ्च धनिकेन स्वदानिक्वयामभिसमीक्ष्येत्यर्थः। अन्यथा पौनक्तयं स्पष्टभेव। इति प्रतिभूविधिः।

प्रसक्तसाक्षिनिरूपणमर्कृत्वा आधिरूपणे संगतिमाह । धनेति । तहाने इत्यर्थः । विश्रंभो विश्वासः । अत्र धनप्रयोगे । तत्र तयोर्मध्ये । इदानीमिति । तत्यसंगेऽपि । ततोऽस्यांतरंगत्वादिति १ आवः । तस्यादौ सामान्यलक्षणमाह । आधिर्नामिति । द्रव्यस्योपेति । उत्हृप्टविश्वासेत्यर्थः । यद्दा । निरूपणस्योभयरूपत्वेन मूलानुक्तमुभयं वक्तं उपरीति लोकोक्तः । तत्प्रतिनिधित्वेनेत्यर्थः । अधीति । स्थाप्यत इत्यर्थः । एवं किष्ठमुनवा योगमाह । आधीति । अर्थः स एव । अत एव नारद्वाक्ये तथोक्तम् । तेनोभयपद्र्शनम् । अत एव तत्र तथोक्तम् । अथ भद्माह । स चेति । द्विति । दिस्वरूप इत्यर्थः । सः द्विविधोऽपि संदिग्धत्वात् कृतेत्यादि पद्त्रयम् तत्रत्यांशक्रमेण २० व्याच्छे । कृते इत्यादिना य इत्यन्तेन । काले इति । अनेन कर्मधारयोत्तरं 'कृत्येर्कण' (व्या. सू. २-१-४३) इति सप्तमीसमासः भृचितः । अस्यार्थमाह आधानेत्यादि काले इत्यंतेन। एवेनानंतरकालव्यावृद्धिः । उपार्थमाह । आत्मेति । विशिष्टतात्पर्यार्थमाह । मोचेति ।

अयमेव कृतकालः। एतत्त्वरूपमुत्त्वाऽकृतकालाख्यद्दितीयस्वरूपं निर्वितः। देयिमिति। बहुल् ग्रहणात् भावे कृत्यँ १ इत्याह। दानिमिति। ५ अञ्चयीभावः पदार्थानितृवृत्तावि १ त्याह। देयमनेति। १५ उद्यतपदार्थमाह। नियत इति। उभयोरंतभावितण्यर्थत्वसूचनायाह। स्थापित इति। सुंप्सुपेति समासमाह। यावदिति। तत्तात्पर्यार्थमाह। गृहीतेति। प्रत्यर्पणं दानम्। तस्यापि तमाह। अनीति। आच्छाद इत्यर्थनिरासाय तत्त्वरूपमाह। रक्षेति। भोग्यस्तु प्रसिद्ध इति भावः॥ ५७॥

## याज्ञवल्कीये ५८ श्लोकः।

एवं चाधेश्वातुर्विध्यमनेनोक्तम् । गोप्यः कृतकालोऽकृतकालश्च वृवं भोग्यो देधोति । तदाह १० एवमिति । उक्तमकारेणेत्यर्थः । मोच्यते इति । 'मोक्ष्यते इति । पाठांतरम् । तत्र 'मोक्ष मोक्षणे । इति धातुर्वोध्यः । मोक्षत इति त्वपपाठः ।

१ क-आद्यबहुलम् । २ 'व्यत्ययो बहुलम् ' व्या. स. ३-१-८५॥ ३ क-साक्षितिरूपणां । ४ क-तत्र । ५ क-स (तु १) क्त्वा । ६ 'रक्षणीय ' पृ.३९ पं.२.७ 'कृत्यल्युटो बहुलम् ' व्या. स. ३-३-११३॥ ८ 'अव्ययं विभक्ति,,, व्या. स. ३-१-६, ९ सुपा व्या. स. १-१-४

आवार्धार्थमाह । प्रयुक्ते इति । द्त्ते इत्यर्थः । भूते सति । अधमर्णस्वं तैदीयस्वत्वम् । क्रिचिद्वचस्तपाठः । षष्ठचन्तमात्रपाठे स्वमित्यग्रिमस्यात्राप्यन्वयो बोध्यः । न केवलं ताविद्त्याह । धनिति । तृतीयपादार्थं पदार्थपूर्वमाह । कालकृत इति । अस्य पूर्वानुकत्वभ्रमनिरासायाह । कृतिति । मनु एवं सित तद्संगितिः । अन्यथा पूर्विवरोधापित्तरत आह । आहितिति । पूर्वतो वैलक्षण्यायाह । सितिति । शेषमाह । प्राप्ते इति । गते सितीत्यर्थः । अत एव पूर्वेण अगतार्थत्वमाह । द्वेगुण्या-दिति । तद्दत् तुर्यपादार्थमाह । फलिति । उक्तसूत्रेणवे पूर्विनिपातस्तस्याकृतिगणत्वादित्याह । फलिति । तृतीयासमासस्तु वकुमुचितः । कदेति । द्वेगुण्ये काले च प्राप्ते सत्यपीत्यर्थः ।

नन्वेवं वाक्यार्थत्रये त्रिषु विशेषलाभेऽपि तुर्ये तद्लाभात्मतिज्ञाहानिरतोऽन्यथा दुर्वचत्वा-द्वयुत्क्रमेण सर्वत्र तेषु विभज्य तमाह । कृतेत्यादि । इद्मुभयपरं संकोचे मानाभावादित्याह । गोप्येति । अत एवाह । अकृतेति । विशेषोक्तेराह । भोग्येति । अँवेति । पर्यवस्यतीत्यर्थः ।

कृतकालगोप्यभोग्याध्योः कृतकालातिकमे नाशः । अकृतकालगोप्याधेर्देगुण्यातिकमे स इत्युक्तम् । तत्र देगुण्यतत्कालातिकममात्रयोरेव न सः किंतु ततोऽप्यप्रे स्वल्पोऽवकाशोऽ
स्तीति प्राग्वत् विशेषमाह । द्वेगुण्येति । तदेवाह । हिरण्ये इति । ' वंधकस्येति ' मध्यमणिन्यायेनान्वेति । प्रतीकृय चेतिपाठः । प्रतीक्षोदित्यपपाठः । हिरण्ये द्विगुणीभूते सित कृतावधवंधकस्य काले पूर्णे च सित धनी उत्तमर्णः दिसप्ताहं प्रतीकृयं वंधकस्य स्वामी भवतित्यर्थः । दिः सप्त, १५
दिसप्तास्तेषामहां समाहारो दिसप्ताहं चतुर्दशदिनानि । प्रतीक्षाफलमाह । तदंशरिति । चतुर्दशदिनमध्ये इत्यर्थः ।

कृतकाले तथाप्रतिज्ञैयोभयत्र नाशेऽकृतकालगोप्याधौ स न संभवतीति पूर्वाधोक्तमाक्षि-पति । निन्निति । हेत्वंतरमाह । मन्निति । तदेवाह । न चाधोरिति. । तथा शब्दाद्पतीते-व्याचिष्टे । कालेनेति । 'साधनं कृतेति 'समासः । बहुकालेनेत्यर्थः । संरोधः स्थितिस्तदाह २० चिरेति । न च विकय इति । अस्तीत्यस्यानुषंगः ।

नन्वेतावताऽपि नोक्तार्थलाभोऽत आह् । एविमिति । चिरकालावस्थानेनेत्यर्थः । 'आधीत्यस्या ' 'ऽन्यत्रेत्यादिः '। अन्यथैतद्संगतिः स्पष्टैवेति भावः । सोपेति । सोपाधिकी चासौ स्वत्विनिवृत्तिश्च तस्यास्तत्र वा हेतुरित्यर्थः ।एवमग्रेऽपि । स्वत्विनवृत्तिस्वत्वापत्त्योः स्वाभाविकत्वा-भावेन सोपाधिकेत्युभयत्र विशेषणम् ।प्रसिद्धत्वादेरुभयत्रान्वयः ।

नन्वस्त्वेवं लोकतस्तथाप्यात्यंतिकयोस्तयोरभावादाधिनाशः कथुमत आह । तत्रेति । तत्र तस्यँ तयोस्तद्धेतुत्वे प्रसिद्धौ चेत्यर्थः । धनेति । अनेन बृहस्पतिवचनेन तयोस्तस्यात्यंतिनृत्ते-स्तयोस्तद्धभयं क्रमेण मूलवचनेन भवतीत्यर्थः । तद्ंतरेत्यादि वद्ता बृहस्पतिना तयोरनंतरमपि चतुर्द्शदिनमध्ये एव पूर्वक्र्यं देयं नाग्रे इति सूचितम् । तथा च तद्नंतरमत्यंतद्रव्यदानिवृत्तिलाभेन निवृत्ते द्रव्यदाने ' आधिः प्रणश्येदि ' त्यनेनाधमर्णस्यात्यंतिकीस्वत्वनिवृत्तिरुत्तमर्थे चात्यंतिकी ३० स्वत्वप्राप्तिरुपदिश्यते । अन्यथा वचनवैयर्थ्यं स्पष्ट मेवोति भावः ।

एवमाद्यदोषमुद्धृत्य द्वितीयमुद्धराति । न चेति । सोपकारे । उपकारसहिते भोग्याधाविति

१ क-तद्गियस्व, ख-.....स्वतं । २ ख-उक्तमूलेनैव । ३ ख-द्वेत्रैग्रुण्ये । ४ पृ. ३९ पृ. ११ ( अवितष्ठते इति ) ५ प्रतिक्षायोगमत्र । ६ '' तृतीया तत्कृतार्थैन ग्रुणवचनेतित'' व्या. सू. २-१-३०॥ ७ ख-तत्र तस्याः ।

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यावत्। तत्राप्यकृतकाले इति बोध्यम्। कुत्तीदेन तद्रथद्रव्यप्रयोगेण कृता ताम्। अत एव तथैव तत्तात्पर्यः माह । भोगैयेति । निषधेनेति । तयोनिषधेनेत्यर्थः । उक्तमिति । अत्रैव वचने इति भावः।

नन्वेवं मनोर्न्यूनता गोप्याधिविषयानुक्तेरत आह । गोप्योति । अतएव ' बलादि ग्लुक्तम् । वश्यते । अन्यविहतमेव । अत एवाविरोधं स्पष्टयन् पञ्चतमाह । आधिरिति ।

## याज्ञवस्कीये ५९ श्लोकः।

किंचेति । विशेषांतरमत्राहेत्यर्थः। 'नो' इत्यस्य व्याख्या नेति । न तु दोषाल्पत्वाद्युक्तमेतदत आह । अल्पेडपीति । समयः संकेतः । 'चा'र्थमाह । तथेति । अथेति तत्र पाठांतरम् । अर्थः स एव । उप-कारसाहित्यं तत्कर्तृत्वेन नान्यथेत्याह । उपाति । अस्य समयवशेन हेविध्यादाह । सवुद्धिके इति । अन्यथैतद्संगातिः स्पष्टैव । स्वरूपहानेरविवक्षितत्वादाह । ट्यवेति । उक्तहेतोरेवानुपंगमाह । नो वृद्धि-१० रिति । उत्तरार्धे विवृण्वन् गोप्यभाग्याधिसाधारणं धर्ममाह । नष्टो चीति । एतेन प्रसिद्धार्थनिरासः । अग्रिमेण पौनरुत्तयापत्तेः । तृतीयांतं पूर्वान्वयि । छिद्रं च भेद्नं विदारणं च तदादीत्यर्थः । योग्यतया आह । पूर्वविदिति । उभयसाधारण्यमेव विशद्यति । तत्रेति । तयोर्मध्ये इत्यर्थः । चैत् यदि । तदे-ति शेषः । एवमग्रेऽपि । अत एवाह । उपेति । अपिना नाशसम्बयः । 'बुद्धिरपीति' प्रथमपादोक्त-त्वात् । अपिना पूर्ववत् करणसमुचयः । वैद्धिः वृद्धिरपि । द्वितीयपादोक्तत्वात् । 'द्विर्वति' पाठे वा सम-१५ चये । असद्भावे तु तावन्मात्रमेवेति बोध्यम् । द्वितीयस्याप्युभयाधिविषयत्वं कथयंस्तत्साधारणधर्ममाह । विनष्ट इति । 'विश्वद्रलभ्यमाह । आत्यंतिकेति । चार्थमाह । सोऽपीति । तत्स्वरूपस्येवाभावा-दाह। मुल्यादीति । तद्दाने धनिना तस्मिन् दत्ते स्वीयं ताहरां सर्वे स लभते। मुल्यं मूलं। एवमग्रे। सर्वेत्र धनीत्यस्य मध्यमणिन्यायेनान्वयः। विशेषमाह। यदीति । मूलनाश इति । तथा सित सुतरां बृद्धि-नाश इति भावः । विनष्टे अदत्ते । तथेति शेषः । अन्यवहितापवादत्वेन तुर्यपादं समतीकं व्याचिष्ट । २० देवेति । अत एवाह । विनाद्याद्विदि । तत्रापि विशेषमाह । स्वापाति । कृतात् । विनाशाद्विने-त्यनुषज्यते । अनेन सूचितं तत्र विशेषमाह । दैवेति । ईदृशे स्थलेऽधमर्णस्येव वस्तुनाशो नोत्तमर्णस्येति भावः । तद्संभवे आह । आध्यंतरं वेति । स्रोतसा नयादिसंबंधिना । राह्मेति अधिकृतदा-रेति भावः । अत एव णिच् । अथशब्दोऽव्यवहिततद्वानंतर्ये । धनं सवृद्धिकम् । तञ न्यूनतां निराचष्टे । तत्रेति । तयोर्मध्ये इत्यर्थः । द्वितीयस्य कंठत उक्तत्वादिति भावः । दैवेति । देवकृतमात्रेत्यर्थः ॥

## याज्ञवल्कीये ६० श्लोकः।

अपि चेति । अन्यद्प्याधिविषये आहेत्यर्थः । संकोचे मानाभाषादुभयसाधारण्येन व्याचिष्टे । आधिरिति । अत एव गोप्यस्य स्वीकरणमात्रत्वेन निर्वाहेऽपि भोग्येऽनिर्वाहात्तदुपलक्षणमित्याह । उ-पेति । तथा च यथासंख्यमन्वयः । प्रकृतं साकांक्षत्वादाह । आधीति । हेतुव्यवच्छेद्यमेवाह । न साक्षीति । मात्रपदेन विशिष्टस्य सिद्धिजनकत्वं स्चितमत एव प्रागवधारणानुक्तिः । उद्देशो ३० वस्तुसंकीर्तनम् । उपदेशिति पाठांतरम् । भोग्यस्य भोगेनैव सिद्धिरित्यत्र मानमाह । यथाहेति ।

यद्दा । स्वीकरणादित्यैस्य व्याख्या **उपभोगादिति ।** 'भुजपालनाभ्यवहारयोरि' त्युक्तेर्गी-प्याधाबुपभोगः परिपालनम्, भोग्यास्याभ्यवहरणं फलाबुपभोग इति यावत् । उपशब्दस्तु सामीप्य-

१ पृ. ३९ पं. २४॥ २ ख-नष्टस्तावन्मात्रं चेद्-यदि । ३ पृ. ४० प. ४॥ ४ यदेति मिताक्षरापाठः । ५ ख-इट्टग-स्यैव वस्तुनाशः नोत्तमर्णस्य । ६ क-दित्यास्या । ख-दित्यस्या-।

सामर्थ्यव्याप्त्याचार्यकरणदोषस्थापनदाक्षिण्यवीप्सारंभपूजीबोगकार्याहत्यमरणखादनानशनेषु वर्तत हाति वैयासभवं योज्यः । अत्र पक्षे उभयत्र मानमाह । यथाहेति । मोग हति । उक्तव्यर्थकमिद्म् । अन्यथा उक्तभोगाभावे, साक्ष्यादिमात्रेण नेत्यर्थः । ननु किमनेन पक्नते साधितमत आह । अस्य वेति । आधेः स्वीकरणात्सिद्धिरित्यस्यत्यर्थः । इतिति । इत्युक्तार्थसिद्धिः फलमित्यर्थः । फलत्वमेव विशद्यति । येति । स्वीकारपदमुक्तार्थकं । 'रक्ष्यमाणोऽपी' त्यादि व्याचष्टे । स चाधिरिति । दिविध इत्यर्थः । उक्तिसामर्थ्याद्राह । यत्नेनिति । अविरोधायाह । कालेति । वेदर्थमाह । यदीति । 'असारे ' त्यादिव्याख्या अविकृत एवेति । विकृते पागुक्तत्वेनापौनरुक्त्यायेद्मुक्तम् । वतः तदा । यदा तत इत्यस्यान्य इत्यत्रान्वयः । तदेति शेषः । तदेत्येव पाठांतरम् । तदेति सूचितार्थमाह । रक्ष्यति । अन्यथोकिवैयर्थ्यं स्पष्टमेव ॥ ६० ॥

इत्यस्येति । इति पूर्वीक्तस्याकृतकालगोप्याधिविषयकस्य तनाशस्येत्यर्थः ॥

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## याज्ञवल्कीये ६१ श्लोकः।

शोभनोति । सदाचरणामित्यर्थः । सुप्सुपा साधनं कृतेति समासी क्रमेणाह । चरित्रेणेत्या-दिना । विनिगमकाभावादाह । परेति । एवं पदार्थं उत्तवा तांत्पर्यार्थमाह । एतदिति । बाह्विति । तद्र्थमव्ययं भिन्नं पदं वा तत्रात्मसात्कृतमाह । धिनिन इति । दितीयमाह । योदि वेति । स इत्यस्य व्याख्या नृप इति । 'सहर्युक्ते' इति तृतीयेत्याह । सहेति । तद्पवादत्वं स्पष्टियतुमाह । १५ अयमाश्य इति । एवंक्पमिति । चरित्रहेतुकमित्यर्थः ।

उत्तरार्द्धं व्याचिष्टे । तथेति । तत्रादौ सत्यमिति । पदार्थीतरस्यानुपयोगिनो निरासायाह । करणिमत्यादि । सत्यंकार इति । समयकरणिमत्यर्थः । शपथकरणिमित यावत् । सूत्रे
'कार इति ' घत्रंताणंतयोस्तंत्रेण निर्देश इति भावः । शाब्दस्य वाक्यार्थस्य स्फुटत्वादाह ।
अयिमिति । आशय इत्यर्थः । तत् । सत्यंकारकृतं द्रव्यम् । संभवादाह । अन्योऽर्थ इति । २०
चित्रेति । पद्यस्योति भावः । विशेषणसमासमाह । चिरित्रमिति । अत्र पक्षे चिरित्रशब्देन
सद्दाचरणं नोच्यते । किंतु तज्जन्यफलिमत्याह । चिरित्रेति । अत्रे समासः भाग्वदेवेति सूचयन्
वाक्यार्थमाह । यत्रेति । तदेव चिरित्रस्यवंधकमेव । तदेव । आत्मसात्कृतं द्रव्यमेव । मक्टतासंबदत्वादाह । आधीति । पदार्थः प्रागुक्त एवेति । वाक्यार्थमाह । क्योति । आहिना दानप्रतिमहादि ।
निमित्ताभावे तथा करणानौचित्यादाह । व्यवस्थातीति । विशेषमाह । तत्रापीति । तयो- २५
मैध्येऽपीत्यर्थः । व्यवेति । तामुह्रंघ्य वर्तत इत्यर्थः । तदेति शेषः । इतरः । महीता ॥ ६१ ॥

## याज्ञवल्कीये ६२ श्लोकः।

किंचेति । पाग्वत् । योग्यतया आह । धनेति । अधमर्णस्येति भावः । एतत्तात्पर्यार्थ-माह । त वृद्धीति । 'अन्यथे ' त्यस्य व्याख्या अमोक्षणे इति । तावन्मात्रे इष्टापत्तेरति-देशपरतया लम्यं तात्पर्यार्थमाह । चौरेति ।

असतीति च्छेदेन । नाशाविवक्षया द्वितीयार्घार्थमाह । असन्नीति । पुनः तु । ' पयोजके ' इत्यस्य व्याख्या प्रयोक्तरीति । ऋणस्येति शेषः । धनदातर्युत्तमर्णे इत्यर्थः । यथाश्रुतार्थे

१ क-यश्राचार्यकरणदोषाख्या । २ स्थीकारांतिकियेति । ३ व्या सू. २-१-४॥ । ५ ख-वाक्यार्यमाह । इ- एवं पदस्य शाब्दमर्थ मुक्त्वा ॥ ५ क-ख्यानुपद्दाति । ६ व्या सू. २-३-१९

बाधादितो लक्ष्यार्थमाह। तदाप्तोति। अर्थादाह। सवृद्धीति। 'न्यस्ये 'त्यस्य व्याखा निधायेति । अर्थादाह । अधमर्ण इति । ' आधिमि 'त्यादेरर्थमाह स्वीयमिति ॥ ६२ ॥

उत्तरावतरणमाह । अथेति । शंकायां सत्यां शंकांतरमाह । यदि वेति । दित्सा । तहा-नेच्छा । षष्ठचंतस्य पूर्वान्वयः । तत्र उभयत्र ।

## यज्ञवल्कीये ६३ श्लोकः।

वक्ष्यमाणवचने वाराब्देनार्थद्वयसूचनाच्छंकाद्दयमत्र फलतो व्याचष्टे । तस्मिम्निति। मोक्षणोद्यमकाले इत्यर्थः । षष्ट्रचर्ये बहुवीहिः । उभयजाधिरन्यपदार्थ इति शब्दार्थः स्पष्ट एवेति सूचयनाह यत्तस्योति । 'तत्रे 'त्यस्य व्याख्या सैर्विमिति न्यायेन तत्रेवेति तस्याप्यर्थमाह । धनिनीति । अस्यापि तात्पर्यमाह । न तत इति । स्थितरवधिं सूचयन 'अथ पयोक्तेत्यायशंकोत्तरं वाशब्द-१० स्चितमाह । यावन्द्रनीति । वाशब्द्रसूचितं कथयनेव 'यादि वेत्यादि ' द्वितीयशंकोत्तरमाह । **याबद्वेति ।** विक्रयेच्छात आह । तन्मूल्येति । ऋणी नेति । अधमर्णस्तद्तिकं न प्रापयतीत्यर्थः। उत्तरावतरणमाह । यदा त्विति । उत्तरानुरोधेनोत्तमर्णस्येवेदमित्याह । यहीतव्यमिति ।

त्वयोति शेषः । विचारितमिति । अधमर्णेनेति भावः । निहिते चेति पाठः । वेति पाठे सचार्थः-

## याज्ञवल्कीये ६३ श्लोंकः ( उत्तरार्धः )।

धारणकादिति पाठे बाहुलकात्कर्तृल्युंडतात्स्वार्थं कः । आघिं धारयतीति धारणकस्तस्मात्। १५ यद्दा धरणं करोति णिजंतात् ण्वुळ्। धाराणिकादिति पाठे, आधेर्धारणं यस्यास्तीति मत्वर्थे ठिनाति केचित्। तद्र्थमाह। अधेति। मरणानिरासायाह। अधमर्णेऽसन्नीति। अपीत्यस्य ससाक्षिकमित्यत्र अन्वयेन तत्समुचितमाह । तदाप्तेश्चेति । विकीणीतेत्यस्य तात्पर्यार्थमाह । विकीयेति । यथाश्रुतविकल्पस्य पाग्वद्संभवात् वाशब्द्स्यार्थमाह । वा शब्द् इति । तत्वमेवाह । यद्णेति । तदा तस्मिन् काले २० एवेत्यर्थः । धनमेव । तावत् । यहीति । त्वयेति शेषः । अयमिति । 'विना धारेति ' प्रकृतवचनोक्त इत्यर्थ: । तथा च सिंहावलोकनन्यायेन व्यवहितमपि तत् बुद्धिस्थीङ्गत्य पक्षांतरत्वेनेद्रमुक्त-मित्यर्थः ॥ ६३ ॥

### याज्ञवल्कीये ६४ श्होकः।

तुस्चितमाह।भोग्याधाविति। प्रयुक्तं उत्तमर्णेन केवलं भैरणत्वेन दत्तम्। कृतया स्वकृतया। २५ कचित्तथैव पाठः । तदा दिगुणीभवनकाले । आधी कृते सति । तत्रिर्वाहार्थमिति भावः । कृत इति शेषपुरणम् । 'तदुत्पने ' इत्यस्य न्याख्या । आधीति । फलभूते इत्यर्थः । धनिन इति । शेषोऽयम्। अधिकरणस्य शेषत्विविवक्षायां षष्ठी । प्रविष्टे सित । ऋणत्वेन केवलं प्रयुक्ते धने वृद्धचा सह दिगुणे जाते पश्चादाधिर्द्त्तो भोगार्थो यदा तदा आधेः सकाशादुत्पचे धने द्विगुणे धनिनि प्राप्ते सत्याधिर्मोक्तव्यस्तेनेत्यर्थः ।

१ क-षष्टवर्थे हुवीहि:। २ क-शाब्दार्थः। ३ 'सर्वे वाक्यं सावधारणमिति' न्यायेन। ४ क-त्रंत्यणत्वेन। स-त्राणत्वेन।

## अथ उपनिधिप्रकरणम् ४।

उपनिधिमिति । तत्संबंधिनमित्यर्थः ।

#### याज्ञवल्कीये ६५ श्लोकः ।

उद्देशेकमादिति भावः। निक्षेपोपनिध्योः स्वल्प एव भेदः इति सूचयनाह । निक्षेपेति । आदि-ना संपुटकादिस्थं इत्यमिति पाठः। यत् इत्यमिति पाठेतदिति शेषः। अनाष्याने कमीकांक्षत्वादाह। क्रपेति । तद्रुपाविशेषमित्यर्थः । तस्याप्यर्थमाह । सुद्धितमिति । अर्पणे फलहेतुमाह । रक्षेति । अनेनोपनिधीयत इति निक्षिप्यते इति च व्युत्पत्तिः सूचिता । 'औपे'त्यत्र विनयादित्वात्स्वार्थे ठागिति भावः । असंख्यातमगणितम् । अवीति रूपतः । अत एवाह समुद्रमिति । निक्षेपपदार्थमाह । १० निक्षेपमिति । गणितं संख्यातम् ।

तुर्यपादं व्याचष्टे । प्रतीति । अपितं स्थापकेन ।

#### याज्ञवल्कीये ६६ श्लोकः।

'तं तु राजदैवकतस्करै'रिति पाठः। स्वार्थे कः। 'दैविकेति' पाठे प्राग्वत् स्वार्थं ठक् । तदाह । तिमिति। असावित्यस्थार्थमाह । यस्मिञ्चपहितमिति । विशेषं कथयन् तात्पर्यार्थमाह । धनिन एवेति । १५ तदोति शेषः । जिह्मोति । कपटमयोजितमपहरणिमत्यर्थः । जिह्मस्य प्रयोजकत्वात् णिच् । प्रहीत-रिति । महीतुर्थेन धनेन सह य उपनिध्यादिर्नष्टः स दायिनो धनस्वामिन एव नष्टो नोपनिष्यादि-रक्षकस्येत्पर्थः ।

एतच तस्करापहारनिषयमित्याशयेनाह । दैवराजकृते तद्वदिति । दैवराजभ्यां कृते अपहारे उक्तवदेवेत्यर्थः। 'प्रहीतुरर्थेन सहेति'नाशस्य सत्यत्वपतिपादनपरं न स्वार्थपरमिति सूचयन त्रितयशेषमाह। २ न चेंदिति । तत् अपहरणम् ।

## ( उतरार्घः )

अद्ते इति छेदः । भृतत्वमिविक्षितम् । सित सप्तमीति सूचयन्नाइ। यदि न द्दाति तदोति । सतिसप्तम्या सूचितमाह । तद्भत्तरेति । क्रियाविशेषणमेनत् । चेदर्थमाह यद्यपीति । स्वेच्छायाः २५ साकांक्षत्वादाह । तथापीति । तस्याभावादाह । मूल्येति ।

#### याज्ञवल्कीये ६७ श्लोकः।

यद्यपि सोदयोपनिधिदानरूपविशेषोऽपि वक्ष्यमाण इति ' अथ भोक्तारं प्रत्याहे श्त्येवोचितं त-थापि पूर्वे तद्दानस्य मुख्यत्वं दंढस्य गौणत्विमिति पश्चादुपात्तं दंढपसंगेन वक्ष्यमाणेन वैपरीत्यं तत्र ३० तथैव पाठादिति तेनैव संगतिर्न तु अनेनेति सूचयनाह । सोक्तारिमाति । उक्तदंडमसंगादिति भावः । दंडं तत्सहितम् । तद्नुज्ञायामपि स्वेच्छायाः सत्वात्तात्पर्यार्थमाह । स्वाम्यननुहोति । प्राग्वदाहोपेति । 'आजीविनिति' ' लेक्षणहेत्वो ' रिति ज्ञातेत्याहाजीवतीति । तद्र्यमाहोपेति । अत्तीत्यर्थः । यत्र नाश्येऽसंभवस्तत्राह । व्यवहरति वा प्रयोगादिना लाभार्थमिति । एवं च व्यवस्थितविकल्पो बोध्यः । विशेषानुकराये आहोपेति । दितीये आह । लाभेति । वेति पाटः । चःपाद्पूरणे इत्याह । तं चोति । प्राग्वत् ' सोद्य ' मित्यस्यार्थद्वयमाहोपेति । द्राप्यः द्राप्योऽपि । अपेरत्र संबंधः । नात्र पागुक्ता वृद्धिरित्याह । वृद्धिप्रमाणं चेति । चस्त्वर्थे । वृद्धिशेषं । अवशिष्टा वृद्धः । क्रयं क्रीतसंबंधिद्वव्यं । विक्रयं विक्रीतरूपद्वव्यं । याच्यमानमिति पाठः । अस्या वृद्धेः सर्वत्र प्राप्तौ विशेषमाहैतच्चेति । उक्तवृद्धिप्रमाणं चेत्यर्थः । उपेक्षीति । उपेक्षा च अज्ञानं च ताम्यां नष्टे त्वत्यर्थः । तेनेव कात्यायनेनेव । व्यासोऽप्येवमानुपूर्विक एव अनुकर्वयवस्थां निराचष्टे । किचिदिति ।

#### ६७ श्लोकस्य उत्तरार्धः।

तत्रादौ याचितादिपदार्थानाह । 'विवाहाद्युत्सवेष्टि ' त्यादिना । 'तथैव चेती' त्यंतेन आनी-तिमिति छेदः । तत्र हेतुमाह । स्वामिने इति । 'ने द्रेशें 'त्यत्राकारप्रश्लेषः । षष्ठीपक्षेऽप्येवम् । सा प्राग्वत् । तादिति । गृहस्वामीत्यर्थः । प्रक्षेपो न्यसनम् । तत्र हेतुमाह । गृहेति इति । हेतौ । सम-क्षमिति । द्रशनपूर्वकमित्यर्थः । अत एव 'निक्षेपं गणितं विद्वारिति' प्रामुक्तनारदैकवाक्यतेति बोध्यम् ।

द्वितीयमाह । प्रतीति । तत् स्वरूपमाह । 'परस्परे'त्यादिना 'न्यस्तस्ये'त्यंतेन । आदिशब्देनो- १५ भयग्रहणे मानमाह । यथाहेति । एष एवेति । 'रहोद्त्ते निधौ यत्र विसंवादः प्रजायते । विभावकं तत्र दिव्यमुभयोरिप च स्मृतिमिति ' प्रागुक्तरूप एवेत्यर्थः । दृष्ट इति 'द्विष्ट' इति पाठांतरम् । आदिना निक्षेपग्रहणम् । बहुवचनं व्यक्त्यभिप्रायं । शिलिपषु । तन्न्यासेषु । एवं पदार्थानुकत्वा वाक्यार्थमाह । एतेष्विति । मूलोक्तेषु इत्यर्थः । 'अयं विधिरि' त्यस्य व्याख्योपेति ।

#### इति निक्षेपमकरणम् ।

#### अथ साक्षिप्रकरणम् ५

अथ साक्षिनिरूपणस्य अव्यवहितसंगत्यभावाद्यवहितसंगतिकथनपूर्वकमुपयुक्तं मूलानुक्तमुपोद्धातरूपमाँह। पमाण 'मित्यादि 'समुदाहृता 'इतीत्यंतेन। तत्र तेषां मध्ये। दृशेर्ज्ञानसामान्याथित्वेन 'साँक्षाद्रष्टरीति 'सूत्रसिद्धमेवार्थमाह। साक्षादिति। 'समक्षं द्र्शेनात्साक्ष्यमिति 'समक्षमित्यस्य श्रवणेऽपि संबंधः। 'समक्षद्र्शेति 'पाठे तल्लुप्तविभक्त्यंतं पृथक्पदं। तथा च साक्षाद्र्शेना- २५
त्साक्षात् श्रवणाच्च साक्ष्यं सिद्ध्यत्येवत्यर्थः। 'साक्षादित्य 'नेन परंपराव्यादृत्तिः। नारदोऽपि
(१-१४७) "संदिग्धेषु तु कार्येषु। द्रयोविवद्मानयोः। दृष्टश्रुतानुसूतत्वात्साक्षिम्यो
व्यक्तद्र्शेनामिति " निक्तपितःपतिपादितः। इतीति मिलित इति शेषः। बृहस्पतिना
तु द्वाद्शविध उक्तः। "लिखितो लेखितो गृद्धः स्मारितः कुल्यद्क्तकौ । याद्यच्छिन
कश्चोत्तरश्च कार्यमध्यगतोऽपरः। नृपोऽध्यक्षस्त्तथा श्रामः साक्षी द्वादशधा स्मृतः" इति। अर्थिना ३०
पत्र निवेशितो लिखितः। प्रत्यर्थिना अर्थिपरेण यो निवेशितो लेखितः। कुल्यादिव्यवधानेन श्रावितो
गृद्धः। धुनैः पुनःकार्यस्मार्यमाणः स्मारितः। यद्यच्छयैवागतः साक्षी क्रियमाणो याद्यच्छिकः। श्रवणा-

१ व्या. सू. २-२-१२६ ॥ २ क-उपेपेति । ३ क-द्वितीयो । ४ अव्ययवस्थां । ५ 'गृहस्वामिने ' ६ क-रूपमाहिमाह ७ व्या. सू. ५-२-२२ ॥ ८ पृ. ४३ पं. २६ इत्येकादशिवधः । ९ क-कार्यो । १० क-पत्रे निवेशितो । केखितः । ११ क-पुन: कार्ये- ।

च्छ्रावणाद्द्रा साक्षिणामुपर्युपिर भाषमाणः उत्तरः । अध्यक्षः प्राह्विवाकादिः । अन्यत्स्पष्टम् । अत्र मूलमनुपद्मेव स्फुटीभाविष्यति । अत्र लोकतोऽधिकः । चभेदः भेद्श्य । तेनैय । नारदेनैय । यहः च्छाभिन्न इति । परेच्छया स्वेच्छया अभिनः । मिश्रितपाप्त इति यावत् । 'यहच्छयाभिन्न ' इति पाठान्तरं । तत्र यहच्छ्या तत्पूर्वकपाप्त्या अभिन्नायते स्मार्थते स इत्यर्थः । 'अतश्चेति 'कर्मण्येद् । अत एव 'यहच्छास्मारितः कुल्यास्तथा चोत्तरसाक्षिणः ' इति बृहस्पितः । 'विषः इत ' इतीति पाठः । चै स्वेति । स्वरूपं त्वित्यर्थः । संनीति । 'वर्तमानसामिप्ये ' इति भूते लट् । संनिवेशित इत्यर्थः । पत्रकात् पत्रसंनिवेशात् । पोनरुत्तयं परिहरति । स्मारित इति । तेनैय । कात्यायनेनेव । एवमग्रेऽपि । ' पुनः पुनः कार्य हृष्ट्या कार्यप्रसिद्ध्यर्थं यः स्मार्यते इत्यन्वयः । स्मारित इति पाठे 'मित्वुद्धीति'वर्तमाने कः । इह व्यवहारे । आगतः सिन्तितिशेषः । अनयाः स्मारितयहच्छाभिज्ञयोः। १० भेद इति । मिथ इत्यादिः । द्वाविति । तथा च तदैक्येऽपि आकारणानाकारणकृतो भेद इति भावः । चतुर्थमाह । स एवेत्याह । तथिति । एवमग्रेऽपि । अर्थिनित । अर्थिना साध्यवता स्वार्थित्यर्थ्यर्थं पत्यर्थिनो वचनं स्फुटं यथा भवति तथा । गृहस्थितः । कुड्यादिव्यवहितः प्रत्यर्थिनाऽ-विज्ञातः सन् स्थितो यः पुमान् श्राव्यते स गृहसाक्षीत्युच्यत इत्यर्थः । तथा साक्षिणामपीति । साक्षिणामपि उपरि ऊर्ध्वं यः पुमान् श्रवणात् श्रावणादा साक्ष्यं उपरि उत्तोनं उत्कृष्टं भाषते इत्याद्यर्थः। स्प एव षष्टीसंगतिरन्यथा दितीयापत्तिः स्फुटेव ।

एवमाद्यभेद्ं सस्वरूपमुक्तवा द्वितीयभेद्माञ्ञं स्वरूपस्य स्फुटत्वादाह । षाङ्किभेति । अकृतस्यापीत्पर्थः । चतुर्थमाह । व्यवेति । व्यवहारिणां कार्येष्विधकृतो यः स्यादित्यर्थः । पंचमं दूताख्यमाह । अर्थिनेति । अर्थिमरेणया प्रत्यर्थिना संनिवेशितः । कुल्या इत्यस्य विषयविशेषमाह । कुलेति । तेऽपीति । पागुक्ताः सर्वेऽपीत्यर्थः । यद्यपि सम्यस्य पूर्विनिपात उर्भयथोचितस्तथापि २० कात्यायनोक्त्रमविवक्षयाऽह । लेखकेति । तयोरपीत्यर्थः । अञ्च हेतुं कात्यायनभेवाह । लेखक इति । समुदाहृता इतीति । सहपाठादिति शेषः । राजनि तत् कार्य पश्यित सित ते लेखकाद्योऽन्तुपूर्वशः स्वार्थपर्क्रमेण पूर्वाभावे परः पर पञ्च साक्षिण इत्यर्थः ।

एवसुपोद्धातमुक्त्वा मूळवचनमवतारयति । ते साक्षिण इति । कीष्टशा इति स्वरूप-प्रश्नः । कियन्त इति संख्याप्रश्नः ॥

#### याज्ञवल्कीये ६८।६९ श्लोकौ ।

धर्मप्रेति । पुरुषार्थाणां वयाणां मध्ये इति भावः । द्यासोऽपि— " धर्मज्ञाः पुत्रिणो मौलाः कुलीनाः सत्यवादिनः । श्रौतस्मार्तिकयायुक्ता विगतद्वेषमत्सराः ॥ "श्रोत्रिया न पराधीनाः सूरयश्चाप्रवासिनः । युवानः साक्षिणः कार्या ऋणादिषु विजानतेति"॥ अत्र नेति पूर्वोत्तरान्विय अतो । न वश्यमाणविरोध इति बोध्यम् ।

१० पक्षान्तरमाह । पुत्रेति । अत्र ज्यवरा इति संख्याप्रश्लोत्तरम् । अन्यत्सर्वे अन्यस्य । नित्ययोगे विजित्याह । तपःशीला इति । शीलपदार्थमाह । निरता इति । 'कुलाँत्व १ इति । सिद्धविशिष्टतात्य-र्यार्थमाह । महेति । 'तान्छील्ये निणि' रित्याह । शीला इति । मोक्षसंग्रहाय व्यतिरेकमाह । न त्विति । नार्थिति पाठान्तरं । 'वर्तभौनसत्तायां' मतुबुत्पत्तेराह । विद्योति । विशिष्टसामर्थ्यलभ्यमाह । बह्विति ।

१ व्या. स. ३-३-१०६ ॥ २ च-स्वरूपमिति ए० ४३ पं० २९ ॥ ३ व्या. स. ३-३-१३१ ॥ ४ व्या. स. ३-२-१८८ ॥ ५ ख-भेदस्वरूपं १ ६ 'अस्पाचृतरत्वात् ' अभ्याहिताता 'च । ७ क-तत्कार्या पश्यति सति । ८ कख-स्वार्थे शिसक्रमेण । ९ ख सर्वेहति । १० व्या. स. ४-१-१३९ ॥ ११ ' सुष्यजातो णिनिस्ताच्छोक्त्ये " व्या. स. ३।२।७८ । १२ ' तदस्यास्यस्मिन्निति मतुष् 'व्या. स. ५।२।९४

कामस्याकरणे प्रत्यवायाभावात्तद्भावायाह । नित्येति । एवं पदार्था नुस्वावाक्यार्थमाहै वंभूता इति । शाः व्यमुक्ता तात्पर्यार्थमाह । प्रिभ्य इति । यथावर्णिमत्यनेनापै। नरुस्याऽऽह । मुद्धेति । तत्तात्पर्यार्थमाह । तत्रेति । तेषां मध्ये इत्यर्थः । एवमग्रेऽपि । इद्मग्रेऽपि अतिद्शाति । एवमग्रेइिक्वपीति । न्यूनतां निराचष्टे । तथिति । मनुरिति । 'दिजसत्तमाः । ग्रूद्राश्च सन्तः ग्रूद्राणामंत्यानामंत्ययोनयः" इति वचःशेषः । कात्यायनोऽप्येवं । नारदोऽपि । ''श्रेणिषु श्रेणिपुरुषाः स्वेषु वर्गेषु वर्गिणः । प्रब्रिहिवीसिषु बाह्याः स्युः स्त्रियः स्त्रीषु च साक्षिण इतिः" । (अ. १ श्वो. १५५) । वर्गिण आह् कात्यायनः । 'लिंगिनः श्रेणिपूगाश्च वणिग्जातास्तथाऽपरे । समूहस्थाश्च ये चान्ये वर्गीस्तान-व्यवित् भृगुः । दासचारणमञ्चानां हस्त्यश्वरथवाजिनाम् । प्रत्येकैकसमूहानां नायका वर्गिणः स्मृताः " इति । सर्वे इति पक्षांतरं व्याचष्टे । सजातिति । सजातिसवर्णयोरसंभवे इत्यर्थः । तयोः प्रकांतत्वात् । सर्वेषां युगपद्संभवादाह । यथासंभविति । मनुरिष ''याहशा अर्थिभिः १० कार्या व्यवहारेषु साक्षिणः । ताहशान्संप्रक्यामि यथा वाच्यमृतं च तैः ॥ गृहिणः पुत्रिणो मौलाः क्षत्रविद्रुद्धयोनयः । अर्थ्युक्ताः साक्ष्यमहीति न ये केचिद्नापादि ॥ आप्ताः सर्वेषु वर्णेषु कार्याः कार्येषु साक्षिणः । सर्वधमिवदो लुब्धा विपरितांस्तु वर्जयेदिति " ॥ (अ. ८ श्वो. ६१ – ६२ – ६३ ). ऋतं सत्यम् । ' मौलाः प्रसिद्धकुलोद्धवाः । इति कल्यतरः ।

पाग्वत्तद्वपोद्धाततयोद्वेथेनासाक्षिस्वरूपमाह । उक्त**लक्षणेत्या- १५** मुलमवतारयितुं दिना। 'साक्षी न भवती ' त्यंतेन। वक्तव्यत्वे हेतुमाह। प्रतिषेधेति। 'प्रतिषिद्धेति ' पाठे भावे कः । अपिः कृतसाक्षिसमुचायकः । पंचम्यंतत्रयेऽसाक्षिण इति शेषः । अग्रे उभयत्रा-साक्षीति शेषः । वचनादसाक्षिणां स्वरूपं नारदेनैवोक्तमित्याह । के पुनरिति । श्रोत्रिया इति । अत्र विरोधः परिहृतः । यद्यपि तापसा इति तपस्विन इत्यनेन तुँल्यार्थः तथापि तद-विरोधायैवाह । वानेति । अत्रादिशन्द्याह्यं सूचयनुभयत्र मानमाह । यथाह शंख इति । २० गुरुकुलेत्यनेनोभयोरिप यहणं । निर्मथा इति । पाषंडिन इत्यर्थः । दर्शिता इति । नारदे-नैवेति शेषः । साहेति । अविचारितकारिण इत्यर्थः । वंचकाः प्रतारकाः । दोषमेवाह । तेष्विति । तेनैव नारदेनैव । एकेन चेन मिथः समुचयः । अन्येनान्येषाम् । वादिनामिति । भाषमा-णानाम् । तेषामनेकेषां मध्ये इत्यर्थः । 'वादिनेति ' पाठस्तु युक्त एव । तुर्योऽपि नारदे-नैवोक्त इत्याह । तथेति । अनिर्दिष्टः साक्षित्वे इति शेषः । सूची सूचकः " आनिर्दिष्टस्तु साक्षित्वे २५ स्वयमेवेत्य यो वदेत् । स्वयमुक्तः सशास्त्रेषु नच साक्षित्वमईतीति " पाठातरं । अनेन स्वयमेवो-किर्यस्योति योगार्थोऽपि द्शितः। उक्तमिति । नारदेनैवेति भावः। योऽर्थ इति । योऽर्थः श्रावयितव्यः तस्मिनसति । मध्यमणिन्यायेनान्वयादार्थीने वादिनि प्रेते वाऽसति वा तदङ्गीकृतं साक्षित्वं क्व कस्मिन्विषये साक्षी वद्तु इति हेतोः सः असाक्षी मृतांतर इति शब्दार्थः । तत्फलितं शेषपूरणेनाह । येनेति । अर्थिनीत्यस्य प्रागुक्तव्युत्पत्त्या साध्यवतीत्यर्थकत्वेनोभयपरत्वादाह । ३० प्रत्यार्थना वेति । अत एव कात्यायनः । 'अर्थी यत्र विषण्णः स्यात्तत्र साक्षी मृतांतरः । मृत्यर्थी वा मृतो यत्र तत्राप्येवं प्रकल्पयोदिति । तदाकारमाह । यूयं इति । श्राविताद्यते । तत्साध्यादिविशेष-परिज्ञानस्य तेषामसंभवादिति भावः । तच्छब्देनात्र[ै] त्रयाणां परामर्श इत्याह । अथिनीत्यादि । [']असती'त्यस्य व्याख्या **मृतेति ।** अस्य अग्रेऽप्यन्वयः । वासूचितं पक्षांतरमाह । **अर्थे वाऽनिवेदिते ।** निनेद्तेऽर्थेऽसात मृते वेत्यर्थः । असाक्षित्वे हेतं सूचयनाह । क्वाति । अस्योक्तपक्षभेदेनार्थद्वयं मूलानुरो- ३५

१ क-इत्युक्ताः । २ ख-व्यक्तत्वे । ३ ख-प्रतिषिध्येति । ४ क-ड-तुल्पाय ।

धेन व्याख्याव्युत्कमेणाह । कस्मिचिति । साक्षिमित्यस्य तदित्यादिस्तस्य चांगीकृतमित्यर्थः। इति हेतोः । अनेन मृत उकान्यतमः अंतरे साक्ष्यस्य स्वीकारभाषणयोमध्ये यस्य स मृतांतर इति व्युत्पत्तिः सूचिता ।

एवमसाक्षिस्वरूपं प्रतिपादितम् । अनेन मृतांतरस्य सर्वत्रासाक्षित्वे प्राप्ते प्रतिप्रसवमाह । यत्र त्वित्याः प्रदेना दिष्टिवती त्यंतेन । अस्मिन्निति । इदं द्रव्यमियदेतया वृद्ध्या अस्मिन् काले देवदत्ताय द्त्तामित्यत्रार्थे इत्यर्थः । अन्यथा तेषां साध्यादिविवेकासंभवादिष्टसिद्धिर्न स्यादिति भावः । तत्रादावावे मानमाह । यथाहेति । सुमूर्ष्ठभावितं विनाऽर्थिनि प्रेते सति साक्षी मृतांतर इति कथ्यत इत्यर्थः । सुमूर्ष्ठणा श्रावितश्चेन्मृतांतरोऽपि साक्षी भवतीति भावः । द्वितीयेऽपि स एव मानमित्याह । तथिति । अनातुरेण स्वस्थेन । अपिर्भुमूर्ष्ठसमुचायकः । धर्मसंज्ञित धर्मास्य इत्यर्थः । तत्त्वरूप इति यावत्। १० धर्मज्ञानविषयो वा । धर्मसंहित १इति पाठांतरं । धर्मयुक्त इत्यर्थः । तदा । तत्रोति । तस्मिन्दैवान्भृते- ऽपि । तत्रार्थे मृतांतरोऽपि एतेषु षट्सु साक्षी स्यादित्यर्थः ॥ ६८ ॥ ६९ ॥

एवमुपोद्धात मुक्तवा सांप्रतं मूलमवतारयाति । तानेतानिति ।

#### याज्ञवल्कीये ७०।७१ श्लोकौ ।

वक्तव्यासारदोक्तानित्यर्थः । पापंड्यादिदंदं कृत्वा पुना रंगावतारिणा सह,
१५ एवमाप्तादिदंदं कृत्वा पुनः पतितेन सहेतीति बोध्यं । अप्राप्ताति । व्याख्यातमिद्मः । अशीतिकेति । अशीतिः परिमाणमस्य स अवरो यस्येति विग्रहः । ततोऽर्वाक् न भवति । तदारम्य भवतीत्यर्थः ।
वैषम्ये बीजाभावात्तदेकवाक्यतया च न्यूनतां निराचष्टे । वृद्धेति । आदिना भक्षणग्रहणम् । अभियुक्त इति । तत् संबंधारोपमात्रं यस्येत्यर्थः । आदिना भोगादिग्रहणं । व्यवहारे श्रुतेः प्राधान्यादाह ।
श्रोत्रदीति । योगनिरासायाह । सुहृद्गित । यात्किंचिद्र्थसंबंधित्वस्य सर्वत्र सत्वादाह । विप्रतीति ।
२० एकेति । बहुवीहिः । पुत्रादिरित्यर्थः । कारीति । तेन करोति न तु विचारेण । अविचारितकारीत्यर्थः । दोषाणां बाहुल्येऽपि अत्र प्राधान्यादाह । वितयोति । बंधुभिरिति । प्रामराजकुलश्रेण्यादिभिर्निस्सारित शति कल्पतरः । नारदेकवाक्यत्वायाह । आद्येति । एवं पदार्थानुक्तवा वाक्यार्थमाह । एते इति ॥ ७० ॥ ७१ ॥

याज्ञवल्कीये ७२ श्लोकः ।

२५ श्रीतस्मार्तेत्येकवाक्यतया आह । ज्ञानिति । तथा च विदेर्ज्ञानपूर्वकतदनुष्टाने लक्षणेति भावः। अत एवोक्तम् । 'पठकाः पाठकाश्चेव ये चान्ये शास्त्रचिंतकाः । सर्वे व्यसनिनो सूर्वा यः क्रियावात् स पंडितः' इति । उभयेति । अर्थिपत्यर्थीत्यर्थः । द्वावपीति । ताहशो चेमो साक्षिणो भवतः इत्यर्थः । ननु एवं धर्मवित्त्वं सर्वत्र तुल्यं । तथा च तत्र ज्यवरपदमनर्थकं व्यावर्त्याभावादिर्पना तेषामिप संग्रहा-दित्याशंकते । यद्यपीति । इतीति । इत्युक्तेत्यर्थः । धर्मवित्त्वप्रयुक्तवेलक्षण्याभावेऽज्युभयानुमततः २० प्रयुक्तं वेलक्षण्यमित्याशयेन समाधत्ते । तथापीति । द्वयोर्वा । द्वयोर्वा तु । अर्थवत्सफल्प् । प्रत्यासत्तेः ' स्त्रीबाले' त्यस्यैवोपस्थितेराह । तपस्वीति । इत्यस्येति । इत्यस्यापीत्यर्थः । क्रिन्त्वेव पाठः । अपिना स्त्रीबालेत्यादिनिषिद्धसंग्रहः । अत एव व्याख्यानविरोधो नेति बोध्यम् ।

याज्ञवल्कीये ७२ श्लोकस्य उत्तरार्धमुः।

चौर्येत्यादिसमाहारदंदः । संग्रहणादीनि चत्वारि । सर्वशब्दस्य बुद्धिस्थबहुसंख्याकावयवा-३५ रब्धसमुद्राये शक्त्या तस्यानुजूतावयवभेदत्वेन यद्यपि सर्वलोक इतिवदेकवचन तथापि स्पष्टार्थं उङ्ग्-

१ " स्वबलावष्टम्भकारी प्र-४५ पं. २८। २ क-अपि न ।

तावयवपरतया व्याचष्टे । सर्वे इति । तदर्थमेव व्युत्क्रमेणाह । वचनेति । मीलस्रीवालेत्यादि वचनेत्यर्थः ।

नन्वेवमतिप्रसंगोऽत आह । दोषादिति । एते त्रय इत्यर्थः । अत्रापि । स्त्रीसंग-हणादिष्वपि ।

ननु पूर्वं तेषामसिक्षत्वे उक्तेऽपि अस्य तद्पवाद्त्वेन अवैर्वं तेषां सिक्षत्वं स्यादेव वाऽत ५ आह । सत्याभावादिति । एवंच येन हेतुना तत्रासिक्षत्वं तस्य अत्रापि सत्वं तुल्यमिति तद्नपगमेन तेषामत्रापि अतत्वमेवेति भावः । एवं च 'स्वयमुक्तिश्चोति ' । चेनान्येषामपीदृशानां ग्रहणम् । तदीह नारदः । "असाक्षिणो ये निर्दिष्टा दासनैकृतिकाद्यः । कार्यगौरवमासाद्य भवेयुस्तेऽपि सिक्षणः ॥ तेषामपि न बालः स्याचैको न स्त्री न कृटकृत् । न बांधवो न चारातिर्वृयुस्ते साक्ष्यमन्ययोति । अ० १ श्लो. १८८।१९० ] नैकृतिको विंवकः । व्यासोऽप्याह—"साक्षिदोषाः प्रवक्तव्याः संसदि १० प्रतिवादिना । पत्रेभिलिख्य तान् सर्वान् वाच्याः पत्युक्तरं तु ते ॥ प्रतिपत्तौ नसाक्षित्वमहीति तु कदाचन । अतोऽन्यथाभावनीयाः क्रियया प्रतिवादिना ॥ अभावयन् द्मं द्ाप्यः प्रत्यर्थी साक्षिणां स्फुटम् । भाविताः साक्षिणो वर्ज्याः साक्षिधर्मनिराकृतः ॥ जितः सविनयं द्ाप्यः शास्त्रदृष्टेन कर्मणा । यदि वादी निराकांक्षः साक्षिसत्येष्ववस्थितः '' । इति । पत्रे लिखितान्साक्षिदोषानभिलक्षीकृत्य पत्युक्तरमुक्तरं तत्तिदृष्यपरिहारं ते सिक्षिणः सम्येर्वाचनीया इत्यर्थः । 'पत्रे तान् सर्वानभिलिख्य उत्तरमुक्तरं ते १५ दोषा वाच्या ' इति कल्पतरः । अतोऽन्यथा असंप्रतिपत्तौ भावनीयाः अंगीकारियतव्याः । क्रियया प्रमाणेन स्फुटं यथास्यात्तथा भावयन्नित्यन्वयः ।

ननु संग्रहणाद्त्रियाणामि साहसशब्द्वाच्यत्वाभेदेनोकिः मुले युक्ता इत्याशंकते ।

मनुष्यति । उभयं । वाक्पारुष्यं दण्डपारुष्यं च । पारुष्येणैक्यादाह । चतुरिति । उक्कमविवक्षया आह । स्त्रीसमिति । समाधते । तथापीति । जनसमक्षं स्वबलावष्टभेन यत्करणं तेन २०
उपाधिना कोडीकृतानामेषां साहसपद्वाच्यत्वम् । एकान्ते यत्करणं तद्रूपोपाधेः एकत्वेऽपि विषयभेदेन
भिन्नत्वात् तद्विषयभेद्वितरहःकरणोपायभेदात्संग्रहणादिशब्द्वाच्यत्विति भावः । तेषां त्रयाणां ।
सात्पृथागिति । साहसात्यागुपेति पाठांतरं । तत्र ततोऽभे उपादाने सामान्यविशेषभावेनान्वयसंभवेन
त्रयाणामेव ग्रहेणं स्यादिति तथेति भावः ॥ ७२॥

याज्ञवल्कीये ७३ श्लोकस्य पूर्वार्धः।

श्रवणम् । तिइषिसाम्ययोरत्र विविक्षतम् । न तु तद्गमनित्याह । संनिधाविति । विशेषमाह । समवेतानिति । मिलितानित्यर्थः । अत्र मानमाह । नासमोति । पृष्टा अपि असमवेता नेत्याद्यर्थः । कर्माकांक्षायामाह । वश्येति । म्लकृतोति भावः । तत्रापि श्रावणेऽपि । समांतः सभामच्ये । अनुयुंजीत पृच्छेत । नियुञ्जीतिति पाठान्तरं । तत्र मेलयेदित्यर्थः । विधिमेवाह । देवेति । समस्तान् मिलितान् । पृथक् पृथक् विज्ञातार्थानित्यर्थः। तत्रापि विशेषमाह । ब्राह्मेति । शूदे तु न नियम २० इत्याह । शूद्रमिति । अत एव तु 'ब्राह्मणमि 'त्यस्य 'शापये ' दित्यत्रान्वयस्तस्य चाग्ने उभयत्रानु-षंगः । 'अन्यथाञ्चवत ' इत्यस्य संपुटीकरणेन मध्येऽप्युभयत्र संबंधो ध्वनितः । तत्रापि विशेषमाह । अत्र चोति । 'सत्येन शापयेदि ' त्यत्रार्थं चेत्यर्थः । संबंधिनः अधिकरणत्विवक्षया सप्तमी । तेनैव मनुनैव । कारः शिल्पीति । युक्तितौल्यादाह । विप्रोति । तयोरपीत्यर्थः । एतच साक्षितंत्रासान

१ क-अत्रेतेषां २ ख-तथाच । ३ ख-उपाधि विना । ४ ख-संग्रहः ५ ड-श्रामणे तद्दीपिः सामीप्यमात्रं ।

थेमेव । यथाह नारदः (११२००) '' पौराणैर्धर्मवचनैः सत्यमाहात्म्यकीर्तनैः । अनृतस्यापवादैश्व भृशासुन्नासयेदिममिति '' । 'सत्येन ज्ञासयेद्विप्रमि ' त्यपकृष्टज्ञाह्मणविषयं न ज्ञाह्मणमाजिष्यं ' तस्य गौतमेन शपथस्य निषिद्धत्वादिति ' कल्पतरः । ननु प्रतिवादिना साक्षिद्देषे उक्ते तिनिर्णये साक्ष्यंतरापेक्षायां अनवस्था स्यात् । तदुक्तं व्यासेन—'अन्येस्तुं साक्षिभिः साध्ये दृष्णे पूर्वसाक्षिणाम् । अनवस्था भवेदोषस्तुषामप्यन्यसंभवादिति'। अतो विशेषमाह । प्रतीति । दत्ते सित । दिखु सत्सु । चाल्पादिष्ठ । चापल्यादिष्वित्यपाठः। तथैच प्रत्यक्षेणेव । अयोग्येषु । दृषणेष्ठ सत्सु । तद्भवचनात् । साक्षिवचनात् । तदुक्तं व्यासेनेव—' सभासदां प्रसिद्धं यद्धोकसिद्धमथाऽपि वा । साक्षिणां दूषणं ग्राह्ममसाध्यं दोषवर्जनादिति '। असाध्यं साधनानर्हम् । दोषवर्जनात् । अनवस्था-दिरहितत्वात् ।

विशेषांतरमाह। यदीति। सारो बलम्। साक्षिभिन्नः साक्षिणां दूषणं स्फुटं यथा तथा साध्यन् १० इत्याद्यन्वयः। भाविते साधिते सित । साक्षिधभीति। साक्षित्वानर्हा इत्यर्थः। विशेषांतरमाह। उद्दिष्टे व्यिति । कथितेष्वित्यर्थः। दृष्टेषु सत्सु । क्रियांतरिति । प्रमाणांतरे इत्यर्थः । व्यासं मानमाह। जित इति। यदि वादी साक्षिसभ्यविषये निर्रोकांक्षो व्यवस्थितः संपन्नस्तदा जितः पराजितः सन् स वादी शास्त्रोक्तविधना विनयं द्मंदाप्य इत्यर्थः। 'साक्षिसभ्येष्वि'त्यत्र 'साक्षिसत्येवेति' पाठांतरं । अर्थस्तैद्दत् सूचितार्थमाह । साकांक्ष इति ।

#### याज्ञवल्कीये ७३ ( उत्तरार्धः )। ७४।७५ श्लोकौ ।

वक्ष्यमाणमित्युक्तमेव वक्तुमाह । कथिमिति । वाक्यमिति शेषः । इत्याह । इत्यत आह । किचितु तथैव पाठः । सर्वानिति स्पष्टार्थः । स तानित्येकवचनबहुवचनाभ्यामेव तद्र्थेलाभात् । एवं सामान्येनोक्तं । विशेष्याह । सुकृतिमिति । मूले पातकशब्देन वक्ष्यमाणभिन्नानां अहणमित्याह । पातकोपेति । अञाप्यनेन वक्ष्यमाणभिन्नसर्वर्ग्रणमिति बोध्यं । स इत्यस्यार्थाऽस्माविति । इति- विक्यार्थसमाप्तौ । अत एवाह । तथोति । किंचेत्यर्थः । 'वद्ति तथेति ' पाठे वद्ति किंच भवतीत्यर्थः । सुकृतं पुण्यम् । तस्य तदीयम् । तद्र्थमाह । यस्ते इति । तवानृतवाक्येनेत्यर्थः । 'तवेत्येव' पाठांतरम् । अस्य तत्रे कर्मत्वमित्याह । इति आयेति । मन्यविरोधायाह । एतचोति । तमेवाह । शुद्रमिति । तदेकवाक्यतयैवाह । गोरक्षेति ।

ननु स्वल्पतरानृतवद्नरूपदोषात्तादृशपापोत्पत्ताविप कथमितवहुलमीदृशं फलमत आह । अन्या-२५ नेकेति । स्वयं अनेकजन्मभिरर्जितं यत्सुकृतं तस्यान्यत्र संक्रमणस्येत्यर्थः । कृतशब्दोऽर्जितपरः, शत-शब्दोऽनेकपर इति भावः । उच्यते इति । इद्मित्यादिः । तथा चार्थवादोऽयमिति भावः । अत एवाह । यथेति । धर्मेति । स्मृतीत्यर्थः । सत्यसंबंधिमाहात्म्यस्य कीर्तनैरित्याग्रिमार्थः । मृशमिति । तथा चानृतवद्नाभावे तात्पर्यम् ।

## याज्ञवल्कीये ७६ श्लोकः।

३० कथंचित् कारणेन । सः नरः । सर्विमित्यस्य योग्यतादिना पूर्वार्द्धं ऽन्वय इत्याह । सर्व-मिति । तद्र्थमाह । सवृद्धिमिति । योग्यत्वादेवाह । धानिने इति । यद्यपि 'सद्शेति ' ऋणविशेषणं तथापि धन्ययोग्यामिति तद्दाक्यात्पृथक् व्याचष्टे । सद्शोति । द्शबंधकेन सहितं । तथा द्शराब्दो द्शमपरः , बंधशब्दों ऽशपरः । स्वार्थे क इत्याह । द्शमांशकेति । उक्तहेतोरेवाह । दृशमांश इति । चस्त्वर्थे ।

१ ख-स्त्रसाक्षिभि: 13 क-अध्यवस्थितः । ३ ख-अर्थस्तद्धस्तात्द्वचितार्थः । ४ ख-सर्वस्वहरणमिति । ५ ह-स्वत्र ।

नतु अयमपि वचनाद्धनिन एवास्तां किमित्येवं व्याख्यानं वैस्त्यापाद्कमत आह । राह्मिति ।
तैक्यायेनेत्यर्थः । तथा च तद्कवाक्यता तछाघवम्लकमेव व्याख्यानमुचितमिति भावः ।
अस्य कालनियमगहैतक्रेति । मन्वनुरोधेनैवाह । प्राप्ते वेति । एतत्तात्पर्यमाह । ततोऽर्वागिति ।
पक्षत्रयमध्ये इत्यर्थः । अतएव हिः प्रयुक्तः । स हि तत्रावद्नस्य तद्धेतुत्वं प्रतिपाद्यति । विशेषमाह ।
इदं चेति । इद्मपीत्यर्थः । आद्ना राजदैवयहणं । त्रिपक्षादिति । त्रयः पक्षा यस्मित्रिति बहुनीहिः।
ल्यव्लोपे इति कर्मणि पंचमी । ऋणादिविषये सार्द्धमासमित्रव्याप्य साक्ष्यमञ्जवनगदोऽपीडितशरीरो नरस्तहृणं सर्वे सवृद्धिकं प्राप्तयात् द्यात् । दशवंधं च । दशमं भागं च । सर्वशः सर्वसमे । राज्ञे द्यादित्यर्थः । सर्वत इति पाठांतरम् । संख्यावाचिन परो बंधशब्दो दंडिवशेषाशमात्रवचनः । नरमहणं सर्वतीग्रहणं श्लोकपूरणार्थमिति मेधातिथः । युक्तिसाम्यादाह । अगद् इति । विरहस्यापीत्यर्थः ।

# याज्ञवल्कीये ७७ श्लोकः।

जानिति । 'विमितिपद्यमानमर्थामि' त्यादिः। करोति । एवो स्युत्कमे । नांगीकरोत्येवे-त्यर्थः । ह्यर्थमाह । पुनिरिति । त्वर्थे । नरेति । अस्यैवार्थो दौरात्म्यादित्यनेनोक्तः । साकांक्ष-त्वादाह । विप्रोति । विवादास्पद्मित्यर्थः । द्वितीयह्यर्थमाह । विशेषत इति । लक्ष्यार्थमाह । नांगीति । तुल्य इति । तुल्य एवेत्यर्थः । एवस्यात्रान्वयात् तत्ययोजकधर्मावाह । पापैरिति ।

ननु को दंडस्तेषामत आह। क्रूटेति च दंड च तेन क्रूटसाक्षिपारिग्रहः। अत एव विशेषमाह। १५ क्रूटेति । इद्मक्टतव्यवहारिवषयं अत एवाह । क्रुतोऽपीति व्यवहार इत्यस्यानुषंगः। पूर्वं तेषु तत्त्व- ज्ञानात्। अत एवाह क्रूटेति । कौटोति पाठान्तरम्। तत्र समस्तात्त्वभावप्रत्ययः। आधेन दंडेन समासः। एवमग्रेऽपि। अक्रुतविषये उक्त्वा क्रुतविषये आह। क्रुतं चापीति ॥ ७७॥

## याज्ञवस्कीये ७८ स्होकः।

साक्षीति । निन्वत्यादि योग्यतया साकांक्षत्वादाह । साक्षिणामिति । वचनं श्राह्मामि १ २० त्यस्य सर्वत्र संबंधादाह वचनामिति । उत्तरार्द्धोपात्तस्य पूर्विधेऽपि संबंधादाह । याह्यमिति । समत्वं संख्याकृतमेवेत्याह । संख्येष्वेति । अनुषंगेणाह । द्वेधे इति । तिष्ठिष्टदेधे इत्यर्थः। त्वर्थमाह । पुन-रिति । प्रकर्षमाह । श्रुतीते । शेषमाह । तेषामिति । विशेषमाह । यत्र त्विति । इति इत्यनेन त्वौत् । तत्वप्रतिपादनात् ।

ननु प्राक्भेदाद्साक्षिण इत्युक्तं, इदानीं तु भेदेऽपि साक्षिण इत्युच्यते ' दैधे इत्यनेनेति ' मिथो २५ विरोधोऽत आह । यन्तिति । तत्सर्वेति । यत्र संख्यागुणादिभिः सर्वैः साम्यं तत्र विशेषौभावा- द्वेदाद्साक्षित्वस् । यत्र तु संख्यागुणादिभिर्वेषम्यं तत्र भेदेऽप्यनेन प्रकारेण साक्षित्वं भवत्येवेति भावः ॥ ७८ ॥

# याज्ञवल्कीये ७९ श्लोकः।

साक्षिभिरिति । साक्षिभिरुक्तेऽपि स कथमित्याद्यन्वयः । तद्वचनस्यातादृशस्यापि ३० संभवात् । अत एव वक्ष्यति । 'यत्र त्वित्यादीति ' भावः । कथामित्यस्य पुनरुक्तिः स्पष्टार्थो । अग्रिमस्य भिन्नपद्स्य पूर्वत्रापि संबंध इत्याह । यस्येत्यस्य साक्षित्वं भवत्येवेति भावः । यस्येत्यस्य

१ क्-तत्मायेनेत्यर्थः । २ मुख्यत्नात् । मि॰ पृ. ४८ पं. १२ ॥ ३ ख-विशेषामावादेः ।

व्याख्या वादिन इति । अस्य न साक्षिण इत्यत्रान्वय इत्याह । प्रतिज्ञामिति । सा च पत्राह्ण न केवलेत्याह । द्रव्योति । लिङ्थाँ न विवक्षित इत्याह । वदंतीति । तद्मकारमाह सत्यमेवति । एवेनासत्यत्वव्यवच्छेदः । स इति । तद्धिसिद्धेरिति भावः । उत्तरार्धार्थमाह । यस्येति । पुनस्त्वर्थे वैलक्षण्याय शेषपूरणमिदम् ।

प साक्षिण इत्यादेरनुवृत्तिः । अन्यथावादिन इत्येकम् । यस्य तु वादिनोऽन्यथा प्रतिज्ञाविरुद्धार्थं वद्नित ताहृशाः साक्षिणो भवंति । तस्येत्यादिशाब्दोऽर्थः । तत्मिलितमाह । प्रतिज्ञामिति । सर्वथा यस्येत्यस्य प्रतिज्ञादौ अन्वयः न साक्षिण इत्यचेति तात्पर्यम् । अत एव द्वितीयांततया पद्इयेन भोक्तिः । विशेषमाह । यत्र त्विति । प्रतिज्ञार्थेति । तद्वृपस्यार्थस्येत्यर्थः । प्रतिज्ञातार्थस्येति पाठांतरम् । आदिना मोहादिः । तत्र ताहृशे स्थले । तस्येति पाठांतरम् । प्रमेति । पृकृतसाक्षि- भिनेनत्यर्थः । अत्र हेतुमाह । न चेति । न हीत्यर्थः । राज्ञेत्युपलक्षणमन्येषामपि । अत्र हेतुमाह । स्यभेति । यत इत्यादिः । मनुकात्यायनावाह । यथेति । तेषां साक्षिणाम् । अत्र हेतुमाह । यद्दोषेति । यतो दोषवर्जितमित्यर्थः । 'दोषविवर्जितमिति । पाठेऽपि हेतुगर्भे विशेषणं । अत एवाहोक्ते त्विति । स्वभावोक्ते तु सतीत्यर्थः । दोषसंभवादिति भावः ।

### याज्ञवल्कीये ८० श्लोकः।

१५ पूर्वोक्तलक्षणैतित्यनेन साक्षिपरीक्षा उक्ता । अनिषिद्धैस्तपःस्वित्वादिगुणविशिष्टेश्रोति तद्र्यः । स्वाभिप्रायविषये साक्ष्ये प्रतिज्ञातार्थवैपरीत्येनाभिहितेऽपीत्यन्वयः । यद्दाऽत्र साक्षी नामार्थी अभिमता-र्थस्य सम्यग्ज्ञाता, तस्य भावः साक्ष्यं, तदेव स्वस्यार्थिनोऽभिप्रायस्तात्पर्यविषयः । एवं च साक्ष्यपद्-स्येव व्याख्या । स्वाभिप्राय इतीति यथाश्रुत एवान्वयः । यद्दा स्वाभिप्राय इत्यस्य घ्याख्या प्रतिज्ञातेति । 'पूर्वेभ्य' इत्यस्य मध्यमणिन्यायेनान्वयः । अग्रेऽपि तथा अर्थिनैव निर्दिष्टा १० इति भावः । गुण्येनेति । सत्यमेतदितीत्यर्थः । समासांतराभ्रमायाह । पूर्वे इति ।

क्रमस्य विविक्षितत्वाद्। हार्थीति । परीक्षात एवाह । प्रमाणिति । प्रमाणभूत इतिवत् प्रयोगः । अत एव च्विने । निगदिते साक्ष्ये उक्ते । 'निगदे दत्ते ' इति पाठे सभ्यादिजनसमक्ष- मुन्नैनिः संदिग्धं भाषणं निगद्स्तिमन् दत्ते कृते सतीत्यर्थः । स्मृत्यंतराविरोधमप्याह । निर्णिके इति । शोधिते इत्यर्थः । प्रमाणं प्रमाणांतरम् । तदेवाह । छिखितिमिति । अपिना भुक्तिसमुन्नयः । २५ तत्र विशेषमाह । पूर्वमिति । उक्तमेवार्थं दाढ्याय सहष्टान्तमाह । यथिति । पक्तेषु पूर्णेषु पुष्टेषु । प्रति । वर्षतींवर्षणरूपगुणा इत्यर्थः । निर्णिकेति बहुवीहिः । प्रमाणं प्रमाणांतर्पान्वेषणम् ।

आत्मेति स्वात्मेत्यर्थः । बहुवीहिरयं । विसंवादित्वे हेतुरयं । अनिति । शास्त्रप्रकाटितदोषशु-न्यानामपीत्यर्थः । प्रसिद्धदृष्टदोषरहितानामपीति यावत् । स्वोपन्यस्तानामपीति भावः । अर्थेति । स्वार्थ-३० विरुद्धत्वेनत्यर्थः । अपिना वचनसमुच्चयः । प्रतिज्ञातार्थस्य सत्यत्वेन स्वांतः करणेनासावर्थं एवमेवेति दृढतर-प्रतीत्युत्पत्तेस्तद्वन्यथानुपपत्त्या साक्षिष्वपि दोषः कल्प्यते, न दृष्टप्रसिद्धदोषस्तेषु । तथा च परिकल्पित-दोषद्वष्टतेन प्रमाणांतरान्वेषणाद्यपपत्रमेव । अंगीकृते च प्रमाणान्तरे व्यवहारदार्शीभेरपि व्यवहारः

१ " प्रतिज्ञानार्थगुण्येनिति " प्र४८ पं ३८ । ३ अनाविष्कृतवोषति प्र४९ पं ३

प्रवर्तनीय एव 'छलं निरस्य भूतेनेत्युक्ते ' रिति भावः । तथौ च तथाऽपरितुष्यतोऽार्थनोऽयं साक्ष्यंतरान्वे-क्णोपदेश इति नानवस्था नापि स्मृत्यंतरिवरोध इति बोध्यम् ।

नन स्वप्रमित्या साक्षिष्वदृष्टदोषकल्पनं कथमतो दृष्टांतमुखेनोपपाद्यति । उक्तं चेति । गौतमेनेति भावः । यस्य च संप्रत्ययस्य । करणं चक्षुरादिकं दृष्टम् । काचकामलादिदोषयुक्तम् । चेदं रजतमित्यादिज्ञानविषये नेदं रजतमित्यादिबाधकप्रत्ययः। स एव प्रत्ययोऽज्ञानरूपोऽसमीचीन इति दृष्टांतवाक्यार्थः । तं पकृते योजयति । यथेति । अनध्याय-सायेति । काचकामलादिर्भेसिद्धं तद्दोषाणामनिश्चयेऽपि । एवं सत्यपि अर्थस्य ग्रुक्तिरजतादेवि-संवादादन्यथात्वात्तज्जिनितस्येदं रजतमिति ज्ञानस्याप्रामाँण्येन वक्षरादिगतदोषकल्पना यथा तथेहापि दाष्टीतिकेऽपीत्यर्थः ।

न केवलं युक्तितः प्रमाणांतरान्वेषणसाधनमपि तु वचनबलाद्पीत्याह । साक्षिपरी- १० क्षेति । साक्षिपरीक्षोपदेशतो भेदेन तद्दाक्येत्याद्यर्थः । तमेवाह । साक्षिभिरिति । 'उपस्थि-स्तान परीक्षेत साक्षिणो नुपतिः स्वयमि । त्यस्य नार्दस्य पूर्वार्धे । न केवलं साक्षिवचनमात्रेण निर्णयोऽपि तु तद्दचनपरीक्षयाऽपि । तथा च तस्यां क्रियमाणायां यदि तद्दचनमनाधितं तदा तस्य प्रामाण्यमन्यथा तु तेन साक्षिष्वपि दोषकल्पना स्यादेवेति तत्परीक्षाविधिवलात् गम्यते, अन्यथा तदानर्थक्यं स्पष्टमेवेति भावः।

अन्यद्प्याह । कात्यायनेति । स्फुटामितस्तदर्थापतीतेः कात्यायनोक्तं व्याच्छे । क्रियेत्यादि । क्रियेत्यस्य व्याख्या । साक्षीति निषेधाविषयत्वमेव नाप्ता इति । तं मनूक्तमेवाह । नार्थेति । इत्थंच मनुः।

" सर्वधर्मविद्रोऽलुब्धा विपरितांस्तु वर्जयेत् ॥ नार्थसंबंधिनो नाप्ता न सहाया न वैरिणः॥ न दृष्टदोषाः कर्तव्या न व्याप्यार्ता न दूषिताः॥ न साक्षी नुपतिः कार्यो न कारुककुरीलवौ ॥ न श्रोत्रियो न लिंगस्थो न संगेभ्यो विनिर्गतः॥ नाध्यधीना न वक्तव्यो न दस्युर्न विकर्मकृत्॥ न वृद्धो न शिशुर्नैको नांत्या न विकलेंद्रियः॥ नार्तो न मत्तो नोन्मत्ता न धुनुष्णोपपीडितः॥ न श्रमार्ती न कामार्ती न कुद्धो नापि तस्करः " इति ॥

(अ. ८ को. ६३-६७)

अध्यधीनः बन्धके धृतः । शुद्धेति । तद्दोषरहितेत्यर्थः । चैस्त्वर्थे । उत्तरार्द्धार्थमाह । एव-मिति । उक्तमकारेणेत्यर्थः। पूर्वार्घाविरोधाय न्यूनतानिरासाय च शुद्धाद्दाक्याचेत्यन्वयेन च समुचयमाह । ३० शुद्धाया इति । च वाक्यादिति । वाक्याचेत्यर्थः । य इति । योऽर्थः शुद्धोऽवगतो निश्चित इत्यर्थः। स शुद्ध इति । शुद्धपदस्य व्याख्या तथाभूत इति । सत्य इत्यर्थः। एवं तदुक्तेः शाब्दार्थमुक्तवा

र का न्तथा च तथा । र ख-मितद्वोषाणाम् । ३ ख-अममान्तेन । ४ 'ग्रुद्धाचे रेयत्र पृ. ४९ पै. ८॥ बा. १२

पकृतसंगतये तात्पर्यार्थमाह । करणोति । करणदोषश्च बाधकप्रत्ययश्च तौ तयोरभावे सत्यर्थोऽवितय एव सत्य एवेत्यर्थः । इत्यर्थ इति । तात्पर्यार्थः । अत्र 'यदा छुद्देति १ पूर्वार्द्धेन साक्षिलक्षण-क्रियारूपकरणगतदोषाभाव उच्यते । छुब्दाचेत्युत्तरार्थेन तु बाधकप्रत्ययाभाव इति बोध्यम् ।

स्वयं स्वयमेव। तथा च विरोधः स्पष्ट एव। स इति। सम्येस्तयैव कियया तस्य जयेऽवधृते निश्चिते सित स दुर्बलिकियावलंबी पुनस्तां बलवतीं कियां नामुयादित्यर्थः। कालमिति निषेधिकियाविशेषणम्। निषेधात् तत्कथनात्। अयं दर्शने हेतुः। कात्यायनः कर्ता। नारदेति। पागुक्तं ' आवेदितं नेति' वद्ता नारदेनापीत्याद्यर्थः। तृतीयांतस्य निषिद्धामित्यवान्वयः। एवव्यवच्छेयमाह। न प्रागपीति। अपिना उत्तरसमुच्चयः। उक्तेऽपि। तात्यर्यार्थः उपसंहरति। तस्मादिति। अपरितुष्यता अर्थिना।

विशेषमाहैवंस्थितं इति। असन्नीति। ईट्शाः साक्षिणोऽसन्निहिताः संभवंतीत्यर्थः। ते एवेति।

१० पूर्वनिर्दिष्टा एवेत्यर्थः। एवेन अभिहितवचनिरासः। ननु तेषामेव पुनः कुतो न प्रशः। अतः मनुमाह। स्वभेति। साक्षिणो व्यावहारिकं व्यवहारागतं यत् वचनं स्वभावेनेव ब्रूयुस्तत् ग्राह्ममित्यर्थः।
अस्योत्तरार्द्धं ' अतो यद्न्यदिब्रूयुर्धर्मार्थं तद्पार्थक'मिति २। साक्षिप्रकरणस्य व्यवहाराविशेषप्रकरणपाठादाह। सर्वव्येति। तथा चात्रापि व्यवहारः समापनीयस्तेन अर्थिना स्वीयपितज्ञाया अन्यथाभावमज्ञात्वेव प्रथममेवान्येषामपि साक्षित्वेन निर्दिष्टत्वात्स्वभावेनैव प्रकृते तेषां वचनस्य सत्वादिति भावः।
१५ नारदमपि साधकत्वेनाह। निर्णिक्त इति। पूर्वावेदनाभावे व्यवहारग्रद्धौ प्रमाणान्तर ( म ) फलं
तद्शुद्धौ प्रमाणमेव अपरम्। इद्मपि ग्रुणवत्तमादीनां पूर्वावेदनाभावे । तच्छुद्धत्वे तु ततो व्यवहारशुद्धिपाप्तावपि उक्तरीत्या तेषामप्रामाण्येन पूर्वमुभयावेदनेन सामान्यलभिन विशेषाणामसंभवेन तेनैव
निर्वाह इति भावः। पूर्वनिर्दिष्टा इति । संकलयन विशेषांतरमाह। पूर्वनिर्दिष्टानामिति
तथाविधाः ततो ग्रुणवत्तमा दिगुणा वा। एवव्यवच्छेयमाह। न द्वयामिति। ततोऽपि
२० विशेषमाह। तेषामिति। साक्षिणामित्यर्थः। असंभवे भवे तु। अन्यथानुपपत्त्यति भावः। पूर्वपक्षे
उक्तमनवस्थारूपदोषमेवं सति पाप्तं परिहरति। अतःपरमिति।

स्वप्रत्ययवलाद्परितुष्यता अर्थिना प्रमाणांतरमंगीकार्यमित्युक्तं, नेवं प्रत्यर्थिन इति विशेषांतरमाह। यत्र त्विति। मन्येति। प्रत्यर्थिविशेषणम्। अवसरेति। प्रसंगेत्यर्थः। 'मिथ्या किया पूर्ववादे '
इत्युक्तेरिति भावः। 'अवतारिति' पाठांतरम्। व्यसनोद्भवेनेति। दुःखनिष्पत्त्येयः। कर्तव्यमिति
२५ पूर्ववत् प्रमाणांतरान्वेषणाभावेन अगत्या प्रत्यर्थ्यपरितोषपरिपालनायेति भावः। तत्र च। सप्तसु दिनेषु
तावता तावतेव अगतेरिति भावः। सताहादिति। ल्यच् लोपे पंचमी। सप्ताहमभिव्याप्येत्यर्थः।
' अर्वागित्यथ्याहार ' इति तु मिधातिथिः। उक्तेति बहुद्यीहिः। साक्षिविशेषणम्। रोगादेविकल्पो बोध्यः। सः साक्षी। रोगोऽत्यंतपीडाकरः। अग्निगेहधनदाहः। पुत्रदारादिप्रत्यासन्नमरणं
हातिमरणम्। इदं च तस्य क्रूटसाक्षित्वे लिंगम्। एवं साति पसक्तं मनुयाह्मवल्क्ययोविरीधं
३० परिहरिति। पतस्रोति। 'यस्य दृश्येतेत्ये ' तन्मनूक्तं च 'यस्योचुरिति' मूलस्यापवाद् इत्यर्थः।
कस्मिन् विषय इत्याशंकायामाहापरीति। एवेन विषयांतर्व्यवच्छेदः। साक्षिभिः वाद्यभिमते एव
साक्ष्ये उक्ते यदि प्रत्यर्थी परितुष्यिति तद्रा मूलवाक्योक्त अर्थिजयः प्रत्यर्थिपराजयः तद्रा सप्ताई
साक्षिपरीक्षणाभावात्। यदा तु प्रत्यर्थिनाऽपरितोषेण तत्परीक्षणावश्यकतया तन्मध्ये साक्षिदौ-

[?] का-र्विदितो व्यवहारशुद्धी प्रकृते तेषां वचनस्य सत्वादिति भावः । नारदमपि न सामान्यलाभेन विशेषाणाम-संभवेन तेनेव निर्वाह इति भावः । २ अ ८ को ७८

बानधारणेन ते दोषवंतस्तदा 'यस्येति' मनुवाक्येन मूळवाक्यमपोयत इति प्रत्यर्थिनः जयोऽर्थिनः पराजय इति भाषः । इदं च ऋणं गृहीत्वा याचनावस्थायां दृत्तं नैव वा गृहीतिमि- त्युत्क्वा विपरीतं धर्मस्थानं प्रविशाति तद्दिषयकं बोध्यम् ।

उक्तेऽपीति । मूलवाक्यस्यैकदेशिच्याख्यानं दूषियतुमनुंवदति । केचिदिति । व्याचक्षत इत्यज्ञान्वयः । अस्य द्दिकर्मकत्वादेकं कर्माह । वचनिमत्यंतेन । द्वितीयमाह अधिनत्यादिती ५ त्यंतेन । अधिति। अध्यर्थ्यंत्यर्थः । अध्यनुद्गलमिति पाठस्तु सुगम एवं । 'अध्यर्थविपोति '। अध्यर्थ विपरीतं स्वानुद्गलं इत्यर्थः । अज पक्षे पूर्वेत्यज्ञ षष्टीतत्पुरुष इत्याह । पूर्वस्येति । तद्र्थमाह । वादिन इति । दूषयति । तद्सदिति । कियोति । कियाया एवानुपपनेरित्यर्थः । सामान्योक्तां तां विविच्य द्शीयतुमाद्विर्थित्यर्थिस्वरूपं प्रागुक्तमपि दाढर्चीयाह । तथा हीति । अर्थ्यत इत्यर्थः। साध्यं तदस्यास्तीति द्युत्पनेराह । साध्यस्येति । प्रत्यर्थ्यथमाह । तत्यति । तदस्यिति । साध्याभावेत्यर्थः । १०

ननु भवतु तद्भाववादित्वं प्रत्यर्थिनस्तथापि कियानुपपत्तौ तस्य किमायातमत आह । तज्ञाभावस्येति । तयोर्भथ्ये इत्यर्थः । अयं भावः । न भावो अभाव इति व्युत्पत्त्या भावधीनत्वमभावः
स्वरूपस्य तथाऽभाव इत्युक्ते कस्येत्याकांक्षायां पटस्येत्यादेः प्रयोगेण तस्य प्रतियोगित्वात्प्रतियोगिभूतधटादिनिरूपणाधीननिरूपणत्वे प्रतियोग्यधिकरणाभ्यामभावो निरूप्यत इति । अत एव तत्रांतरे उक्तम् ।
पृथ्वंसाभावस्यापि भावस्वरूपसिद्ध्युत्तरकाालिकत्वमितिः सर्वथा भावसिद्धिसापेक्षसिद्धित्वमभावस्य इत्येत- १५
द्वेपरित्यात्तच्छरीरे तद्प्रवेशात्स्वातंत्र्येण सिद्धिर्नत्वभावापेक्षया सिद्धिरिति अभावसिद्धिनिरपेक्षासिद्वित्वं भावस्य । एवं च सापेक्षनिरपेक्षसिद्धिकयोरभावभावयोर्मध्ये निरपेक्षसिद्धिकत्वेन भावस्यैव
साध्यत्वं युक्तमिति ।

नन्वभावस्य सापेक्षसिद्धिकत्वेऽपि साध्यता कुतो नास्तीत्यत आह । अभावस्येति । भावस्येव साक्षात्साक्ष्यादिक्षपप्रमाणप्रमेयत्वमभावस्य तु न साक्षाद्गि तु भावद्वारा । तथा च साक्षात्प्रमेय- २० स्येव साध्यत्वं, नातिभूयस्या परंपरया प्रमेयस्येति भावः । फलितमाह अतश्चिति । एवं च प्रत्यर्थिन-स्तद्नुपपात्तिरुक्ता सिद्धेति भावः । वाचनिकोऽप्ययमर्थ इत्याह । अपि चेति । सर्वत्रेव न केवलमञ्जेव । नन्वेवमपि व्यवहारभेद्वद्ञापि उभयोरपि अञ्च क्रिया आस्तामिति न दोषोऽत आह । न चेकिति । नापीत्यर्थः । कातीयमाह । न चेकिति । दूषणमुपसंहरति । तस्मादिति ।

पूर्वोक्तस्याशयांतरवर्णनद्वारा तस्यार्थीतरप्रतिपाद्कपागुक्तैकदेश्युक्तिमेव दूषियतुमनु- २५ वद्ति । अथ मतमिति । सामान्योक्तं विशिष्याह । मदीयमिति । तत्र कालविशेषोक्तो तत एव निर्णयस्य प्रागुक्तरीत्या संभवादाह । पूर्वापरेति । प्राप्तो तद्वाहित्यमेवानाकिलतम् । ननु एवमपि साक्षिमिस्तत्र निर्णयः स्याद्त आह । तत्रेति । अत एवाह । कस्योति । नारद्वमाह । द्वयोरिति । व्याख्यातमिदं प्राक् । प्रतिज्ञायां कालानुक्तेराहः । यः पूर्व निवेदेति । प्राप्तिपूर्वत्वाज्ञानेऽपि निवेद्नपूर्वत्वज्ञानेन तत्र निर्णय इति भावः । स्थिते ३० इति । सिद्धांते इत्यर्थः । तस्यायमपवाद् इत्युक्तम् । क्वापवाद् इत्याशंकामपाकुर्वन् प्रकल्येवेति न्यायेन परिशेषाद्पवाद्विषयं वक्तुमाद्ावुत्सर्गविषयमाहातश्चेति । अस्य तद्पवाद्त्वाञ्चेत्यर्थः । समेत्यादिनाऽपवाद्विषयता सूचिता । अपवाद्विषयमाह । यदा तूत्तरेति । अयमेव प्रतिवादी ।

१ क-अनुवर्तते इति । २ ख-प्राप्तिपूर्वत्वा दानेपि पूर्वत्वदाने ।

तथा चास्मिनेव विषयेऽपवाद्त्वमिति भावः । एवं व्याख्याने प्रागुकैद्रोषाभावमाहैवं चेति । ईहरू विषयकत्वांगीकारे चेत्यर्थः ।

ननु एवमादि पूर्वोत्तरयोर्वादिनोः साक्षिणां समत्वे पूर्ववादिनः साक्षिणः प्रष्टव्या इत्याद्युक्त्या एकः स्मिन् विवादे इयोः कियाप्रसंगलाभेन प्राङ्न्यायेति । 'न चैकस्मिन् विवादे इति ' च कात्यायनितेश इत्यिप्रमं दोषद्वयं तद्वस्थमेवात आह । चतुरिति । चोऽन्ते योज्यः । सत्यमिथ्याकारणप्राङ्न्यायोत्तरेष्वेव क्रियाव्यवस्था वादिप्रतिवादिनोर्द्वयोः क्रियाभावश्च । पृकृतो-द्वाहरणे तु द्वयोरिप प्रतिज्ञावादित्वेन तद्विलक्षणत्वाच क्रियाव्यवस्थिति न द्वितीयतृतीयदोषाविति भावः। तृतीयदोषं प्रतिचंधाय युक्त्यन्तरेणापि खंडयचाहैकिस्मिन्निति । स्थलविशेषे प्रागुक्ते इत्यर्थः । परमते सिद्धांतिमते । तथिति । अत्र पक्षे इति शेषः । यथा सिद्धांतिमते साक्षिभिरसाक्ष्ये उक्ते १० सित यत्र प्रतिज्ञातार्थस्यान्यथात्वेन स्वांतःकरणप्रत्ययाभावात्यमाणांतरांगीकारणमेवमस्मिन् मतेऽपि वादिप्रतिवादिनोः क्रियाद्वयं । नारद्वचने जाग्रत्यि यथा स्वांतःकरणप्रत्ययाविसंवादित्वेनोक्तरीत्या तत्र मते प्रमाणांतरांगीकरणं तथाऽस्मन्मतेऽपि ' न चैकस्मिनिति ' कात्यायनवचने जाग्रत्यिपि उक्तरीत्यैकत्र विवादे तयोः क्रियाद्वयमिति भावः । इतिर्मतसमाप्तो ।

इद्मपि दूषयति । तद्पीति । आचार्यः विश्वक्षपाचार्यः । 'विश्वक्षपविकटोक्तिविस्तृति ' संहारा-१५ त्मकत्वे नास्य ग्रंथस्य तद्नुयायित्वात्। इत्यतः शब्दादिति। अस्माद्वचनादित्यर्थः। एवं शाब्दत्वं निरस्य व्यंग्यत्वं निराचष्टे । अर्थादिति । ग्रयोजनादित्यर्थः । प्रकरणं व कृश्रोतृबुद्धिस्थता । किंच प्रकृतोद्दाहरणे ताभ्यां तथोक्तावपि साक्षिणां साम्येऽपि प्रागुक्तरीत्या कालादिनिश्चयद्वारा निर्णयसंभवेन न तद्र्थ- मस्योपयोगः । किंच नैकमुद्दाहरणमिति न्यायेन सामान्यशास्त्राप्रणयनानर्थक्यमिति तथेवोचितमिति दिक् ।तद्दाहत्यलमिति ।

# याज्ञवल्कीये ८१ श्लोकः।

द्रिता इति । अनुपद्मेवेतिभावः । अन्येऽपि तेऽन्यत्र स्पष्टा । यद्यपि कूटकृतश्च ते साक्षिणश्चेति क्टकृतश्च साक्षिणश्चेति वा व्याख्यानं संभवित तथापि तथेत्यस्यावेयथ्यीयेकदेशान्वयाभावाय च भदेन व्याच्छे । य इति । आदिना सामादिपरिग्रहः । कूटान साक्षिण इति पाठः । मिथ्याभ्तानिति तद्र्थः । 'साक्षिण'इति विशेष्यस्य प्रकरणाद्धाभः । अत एवाह । साक्षिणश्चेति । रूप तथेत्यस्य व्याख्या कूटाइति । ते प्राग्रकाः सर्वे । 'विवादादि'त्यस्य सान्निध्यात् द्विगुणमित्यत्रान्वयः । तद्रास्पद्द्रव्यादित्यर्थे तस्य नियमेन अनियतद्ं डापितः । तस्य स्वल्पत्वेन च बहुदं डापित्रधनव्यवहारेऽव्याप्तिश्चातोऽन्यथा व्याच्छे । विवादादिति । हेतौ पंचमी । पराजये तस्य लक्षणा पूर्वज्ञापि तस्याः सत्वेनाज्ञाविशेषात् दंडे चान्वयस्तद्राह । विवादपराजये इति । सतीति शेषः । गर्गदं डैनन्यायेन समुद्राये दंडिविश्रांतिवारणायाह । पृथिगिति । इदं द्वितीये सफलम् । दंडं दंडनीया इति धनपेषं १० पिनष्टीतिवत् प्रयोगः । लक्षणा वा । यद्यपीदं सामान्योक्तया सर्ववर्णसाधारणं तथापि विपे विशेषं तुर्यपादार्थमाह । ब्राह्मण इति । तुर्वेलक्षण्ये । निर्वासनं चहिष्कारः । अत एव विवासव्यतिरेकमाह । वाह्मण इति । उक्तर्थमाह । ब्राह्मणेति । दंडिविषयो नेत्यर्थः । मन्वविरोधाय संकोचेन विषयविशेषपरत्वमाद्यार्थस्याह । इति तज्ञोति । पाद्वयोक्तं चेत्यर्थः । तत्राद्ये आह । लोभादिति ।

१ पायुक्ताबदोषाभावं । २ ख-चोक्तरीत्या । ३ 'गर्गान् रातं दंडयती 'त्यत्र न गुर्गे पत्येकं रातं दंडः । अपितु समुदाये इति ॥

दंड्य इत्यस्यायेऽनुषंगः । पूर्व तु साहसम् । सार्धपणशतद्यं । भयात् दौ मध्यमौ दंड्य इति पाठः । दौ मध्यमौ साहसावित्यर्थः । पणसहस्रमिति यावत् । 'भयादै मध्यमौ दंड्याविति 'त्वपपाठः । असं- बद्धत्वात् । पूर्व पूर्व साहसं । चतुर्गुणं पणसहस्रम् । एवमयेऽपि । षरं उत्तमसाहसम् । निगुणं पणसहस्र- वयम् । पूर्वापक्षया परो मध्यमसाहसस्तिस्मत् निगुणे पंचद्शशतानि संपर्यते इति कल्पतरः । भासमान- पौनरुत्याभावाय हेतृन् व्याचष्टे । लोभ इत्यादि । 'मैन्या' इति पाठः इत्याह । मैनीति । मैन्यादिति पाठांतरम् । मैनीति ष्यञंतोऽञ्तंश्व । अयं व्यतिकरः संबंधः । नञोऽल्पार्थत्वेनाह । अस्फुटमिति । एतेन 'व्यवहारकाले एव विपरीतं ज्ञानमिति ' कल्पतस्तक्तमपास्तम् । मोहेन पौनरुत्यापत्तेः । बालिङ्यं ज्ञानेति । तदुत्पत्तिपागभाव इत्यर्थः । बालिङ्यमञापाप्तमाञ्चयीवनत्वं न बाल्यं तस्य साक्ष्यानिषेधादिति मेधातिथिकल्पतर्वाद्यः । पूर्वाध्यायांतोक्तवष्टंभेनाह । सहस्रादिष्विति । तथा च पणानां सहस्रमित्याद्यन्वयः ।

एवं लोभादिकारणिवशेषपरिक्ताने दंडमुक्त्वा कौटसाक्ष्याभ्यासे दंडिवशेषं तद्वक्तमेवाह। तथिति। शब्द्रतस्तद्विषयत्वाप्रतीतेस्तत्स्पष्टयति। एत्वाभ्यासेति। यद्यपि सङ्कद्पराधे पूर्वमुक्तत्वाद्र्थादेवेद्मम्यास्तिवश्यं दंडाधिक्योक्त्या परिशिष्यते तथापि शाब्द्रत्वमप्यंस्योति सूचनायाह। कुट्राधादिति। वर्तमानार्थ-कल्ट्स्थानिकः शानजंतेन निर्देशादित्यर्थः। अयं भावः। अनभ्यासे एकदैव कृतत्वेन स्तार्थकक्तवंतत्वेन कृतवत इति निर्देष्टव्ये वर्तमानार्थकल्टस्थानिकशानजंतेन कुर्वाणानित्युक्त्या क्रियायाः प्रारब्धा- १५ परिसमाप्तत्वक्तपवर्तमानत्वेन पुनः पुनः कौटसाक्ष्याभिधानस्यापरिसमाप्तत्वाद्दर्तमानत्वमेव तस्येत्यभ्यास-विषयत्वस्येवास्य सूचनादिति। अत्र यतः कौटसाक्ष्यं तत एव पुनःपुनरभिधानं न तु पुनः पुनः प्रश्नपूर्वकिमिति न पूर्वविरोध इति बोध्यम् । इदं व्याचष्टे विशेषं वक्तुं। त्रीन्वर्णानिति । ब्राह्मणस्य दंडांतरविधानादाह। स्त्रजीति। दंडस्यात्रानुक्तवादाह। पूर्वोक्तमिति। 'एतानाहुः कौटसाक्ष्ये पोक्तान् दंडान् मनीषिभिः॥ धर्मस्याव्यभिचारार्थमधर्मनियमाय चेति । श्लोकमात्रव्यवहितेन लोभादित्यादि- २० नोक्तमित्यर्थः।

ननु प्रवासयेदित्यस्य कथमयमथोंऽत आह । अथेति। प्रवासेति उपसर्गांतरासंसृष्टस्येत्यर्थः। अतः 'सिवहं ब्राह्मणं कृत्वा स्वराष्ट्राद्विप्रवासयोदिति 'स्तेयप्रकरणस्थमूलविरोधो नेति बोध्यम् । नन्वस्य धर्मशास्त्रत्वेन कथं तथाऽत आह । अस्य चेति । कौटसाक्ष्यमिति वचनस्येत्यर्थः । एतद्तर्गतमपि तद्स्तीति पाक् प्रतिपादितम् । मारणमेव केवलं सर्वत्र नार्थः । किंतु अन्योऽपि । तस्यानेकविधत्वमाह । २५ तत्रापीति । अर्थशास्त्रेऽपीत्यर्थः । कौटसाक्ष्यविषयेति । तद्भेदेनेत्यर्थः ।

एतेन तदेव कथिमिति शंका निरस्ता। त्वं च त्वं तु। 'भवती' त्यन्वयः। क्रमेण निमित्तानि व्याचिष्टे! अत्यन्तिति। एतत्तुर्यपादार्थमाह। ब्राह्मेति। केवलविवासनस्य मूले उक्तत्वेन अभ्यासे आधिक्यस्यापेक्षितत्वेन मध्यपातिदंडियत्वेत्यस्य मध्यमणिन्यायेन अञ्चाप्यन्वयादाह। दंडिति। अर्थातरमाह। यद्वेति। एवमग्रेऽपि। बहुवीहेर्लाघवात्ततपुरुषमाह। वासस इति। वासो गृह- ३० मिति। हलक्ष्येत्यधिकरणे वञ्। अग्रे मिति। इति मन्वर्थसमाप्तौ। अस्यां व्यवस्थायां यदपरार्केण दूषणं द्त्तं तदाशयाज्ञाननिवंधनमिति व्यवहारोदिधिसेतौ मितिपादितं तत एव बोध्यम्। ननु मूलेन विवासनस्य उक्तत्वेन न ब्राह्मणस्य सर्वत्र साक्षिविषये विवासनमेव नार्थदंड इति

१ ख-अस्तीति। २ ख-मूळेऽपि।

व्याख्याते न च तस्य केवलार्थदंडः कापि न स्यादिति चेन्न सोऽपि हि अस्तीति पागुक्तं व्यवस्थापय नाह । वाह्मणीति । पकुतमूलविषयत्वाभावादाह । तत्र तत्रोक्त इति । लोभादौ निमित्ते लोभं वेतीति पाठः । लोभादित्यादिमनूक्त इत्यर्थः । एवेन विवासनव्यवच्छेदः । अभ्यासे त्यिति । 'लोभादिकारणिक्शेषपरिज्ञाने'इत्यादिः । अत्रापि पकुतमूलाविषयत्वादव्यवाहितकोटसाक्ष्यं त्विति मन्कमाहार्थेति । अत एव विशेषं प्रागुक्तमेव अव्यवस्थायां व्यवस्थितमाह । तत्रापीति । विवासनांशेऽपीर्त्यर्थः । अनुबंधो गुणः । 'न वेतीति पाठः । एवं तत्परिज्ञानेऽनभ्यासे उक्त्वा तद्परिज्ञाने तत्र आह । लोभादीति । अत्रोक्तमनुद्वयस्थापि प्रागुक्तस्यापाप्तेविंशिष्यान्वयस्य तस्यानुक्तत्वात्सामान्यभूतपृथागिति पाद्त्रयविषयत्वेनाह । क्षित्रयादिवदिति । एवेन मूलोक्तिवासिनरासः । विषयस्याल्पत्वात्त्वं इस्य महस्वात ।

१० नन्वेवं मूलतुर्यपादस्य निर्विषयतापत्तिरत आह । महोति । उक्तनिमित्ते एवेति भावः । विषय-भेद्मात्रं अन्यत्सर्वं प्राग्वत् । नमेवेति । मूलेन तस्यैवोक्तत्वात् । मन्तकाविषयत्वात् विशिष्यं दंडानुकत्वात् सामाँन्योक्तस्य तेन बाधाचेति भावः । एवेनार्थदंडिनरासस्तथा सतीति तात्पर्यम् । अत्रापीति । लोभादिकारणविशेषापरिज्ञानादौ महाविषयेऽपीत्यर्थः । सर्वेषां बाह्मणादीनां । एवेन दंडांशे वैलक्षण्य-निरासः । अन्याविषयत्वादाह । मनूक्तमिति । 'कौटसाक्ष्यमि ' त्यनेनोक्तमित्यर्थः । यद्दा मनू-१५ क्रत्वेन साम्यादुभयांशेऽप्यवैलक्षण्यं बोध्यम् । यद्दा एवो व्युत्कमे । मनूक्तमेवेत्यर्थः । अन्याविषयकत्व-सन्वक एवकार इति बोध्यम् ।

न चेति । समग्रधनमक्षतिमत्याद्युक्तेविंध्यनुपलंभाचिति भावः । तथा च मानवे 'दंडिय-त्वेति ' पूर्वान्वयो वेति बोध्यम् । तत्रादौ युक्तिमाह । अर्थदंडोति । यत इत्यादिः । निषिद्धे इति । 'न शारीरो ब्राह्मणस्य दंड ' इति गौतमादिनेति भावः मनु । मूलस्य तुल्यार्थकत्वेन तत्प्राप्तमाह । २० नमीति । अन्यत्रांकनस्याप्युक्तत्वादाह । अंकेति । समाहारद्वंदः । एतद्न्यतमित्यर्थः । ननु दंडस्य महत्त्वेनापराधस्याल्यत्वेन वैषम्येणायोग्यतया कथमेतत्यसाक्तरत आह । दंडाभावो वेति । अन्य-दंडस्यानुक्तत्वात् । न चेदं युक्तं दंड्यादंडनेन राज्ञो दोषस्योक्तत्वात् । अर्थमैवृद्ध्यापत्तेश्चेति भावः ।

ननु धिग्दंडवाग्दंडावुक्तावेवेति । तौ यथासंभवं तत्र भविष्यतोऽत आह । चतुर्णामिति । मनूकिरियम्। अत्र शारीरामिति क्षत्रियादिपरम् । धनेति साधारणं इति भावः । धर्मादन्पेतं धर्म्यम् । ननु १५ " ब्रह्महा च सुरापश्च स्तेयी च गुरुतल्पगः ॥ एते सर्वे पृथक् ज्ञेया महापातिकेनो नराः ॥ चतु- णीमिपे चैतेषां प्रायश्चित्तमकुर्वतां ॥ शारीरिमित्यादि ११ । तत्र पाठो दृश्यते । एवं च ब्राह्मणपरतया ऽप्युपपत्तिरस्य । अत एव 'शारीरं धनसंयुक्तमि ' त्यस्य स्वरसतस्संगितः । तस्य च 'दृशस्थानानि' 'उपस्थमुद्रिम ' त्यादिनोक्तमित्यर्थ इति नेदं साधकमत एव यमस्मृतिरिप '' सर्वेषामेव वर्णाना- मन्योन्यस्यापराधिनाम् । शारीरं कारयेदिति''। तादृशानां क्षत्रियादिवर्णानां सर्वेष्वपि ब्रह्महननादिष्वि- १० त्यादर्थः । अधिकरणस्य संबंधित्वेन विवक्षया षष्ठी । एवोऽप्यर्थे । अत आह । सहस्रमिति । स्रीसंग्रहमकरणे मनूक्तिरियम् । चस्मेति । स्मरणाचेत्यर्थः । आद्ौ तथेति पाठे अञ्चापः पाठः । नन्त्रेवं श्रीखिरोधस्तत्र त्रयाणां क्षत्रादीनां धनापहरादित्रयमुक्त्वा ब्राह्मणस्य विवासनांककरण-

योरेवोक्तवात्तथा च स्थलविशेषे तथासत्वेऽपि सामान्येनार्थदंडस्तस्य नैव युक्तोऽत आह । यत्तु

१ विवासनं वां नमीकरणीमिति । २ ख-अनकस्यपि पागुप्तस्यां ब्राह्मेः ३ सामान्योक्तस्यानेन बाधाच्चति । ४ ख-अध-द्रायापतेश्चा ।

इांखेति त्रयाणां क्षत्रियादीनाम् । धनेति । वधश्च बंधिकया च ते धनापहारश्चते च ता इत्यर्थः । विवेति । समाहारे दंदः । सर्वस्वेति । तथा च तथोक्तया बाह्मणस्य सर्वस्वहरणं तात्पर्यतो निषिध्यते नार्थदंडमात्रमिति भावः ।

ननु प्रकृते वधराब्द्सांनिध्येऽपि सर्वस्वहरणस्य तत्साहचर्यस्यान्यबाद्दृष्टत्वात् प्रकृते तत्सहपाठमात्रेण कथं तस्य तत्परत्वमत आह । शारीरिस्त्वित । मानवमेवेद्म् । जीवितांतः तद्ग्रहणांतः । ५
एवमग्रेऽपि । 'प्रकीर्तित ' इत्यस्योभयान्वयो मध्यमणिन्यायेन । तथा च अर्थदंडस्तु तद्ाद्स्तदंतः
प्रकीर्तितः । च किंचायं । स तथेव तत्सदृश एवेत्यर्थः । मनुविरोधं परिहरति । यद्प्युक्तमिति ।
प्रथमकृतेति । स्नीसंग्रहणाख्यप्रकांतसाहसविषयकमित्यर्थः । प्रकरणाद्वेति भावः । नतु सहपठिततया
साधनवच्छारीरस्यापि । बाह्मणप्राप्तिः स्याद्त आह । शारीरिस्त्वित । कदाचित् कदाचिद्पि ।
'राष्ट्रादि'त्यस्य प्राचीनं मानवमाह । न जात्विति । सर्वपापेषु स्थितमपि बाह्मणं कद्माचिद्पि न हन्या- १०
दित्यर्थः । सामेति । पातकसामान्येनेत्यर्थः । 'अक्षतिम'त्यिममपि मानवं हेत्वंतरतया आह ।
तथेति । समुच्येऽयम् । भूयान् अधिकः । इतीति । सामान्येन मनुस्मरणादित्यस्यानुषंगः ।
पर्पचितिमिदं प्राक् तत एव बोध्यम् ।

#### याज्ञवल्कीये ८२ श्लोकः।

अपि चेति। साक्षिणामुक्तदोषान्यदोषे दंडांतरमाहेत्यर्थः। अत एव तुरुक्तवैलक्षण्ये। 'न ददातीति' १५ प्रयुक्तमूलापौनरुक्तयायाह । अंगीकृत्येति । ल्यबन्तस्य निह्नुते इत्यत्रान्वयः। 'अन्यै' रित्यादेरुक्तरेणा-न्वयः । **साक्ष्यमिति ।** यदित्यादिः। **निगदनकाले ।** भाषणकाले इदमर्थलब्धम् । तेषां तमःकार्यत्वादाह । रागादीति । हेतुगर्भविशेषणमिद्म् । तादित्यस्यार्थं प्रकांतत्वादाह । साक्ष्यिमिति । प्रकृतत्वात्तद्र्थमाह । साक्षिभ्य इति । निह्नवमेवाह । नाहमिति । विवासमित्यस्योक्तार्थकस्यानुवृत्तेराह । विवासेति । नुत 'यःस इति' सामान्योत्त्या पादत्रयोक्तदंडस्य सर्ववर्णविषयत्वं सङ्गदपराधेनाभ्यासे तद्गमकाभावात्, २० 'तमोवृत इति ' हेतूत्त्या तत्रापि लोभादिसारया सामान्यपरिज्ञानविषयत्वलाभेअपि न तद्विशेषपरिज्ञान-विषयत्वं गमकाभावात् एवं साक्ष्यंगीकारादिपूर्वकिनद्भवदोषस्य पूर्वत अधिक्येन दिगुणदंडादृष्टगुणदंडो-काविप तद्दद्माप्यन्यविषयत्वं न ब्राह्मणविषयत्वं तत्र विवासनस्यैव व्यवस्थापितत्वात्तुर्यपाद्नेन । एवं साति अत्र तुर्यपादेन सामान्यप्राप्ताष्टगुणदंडापनादेन विप्रस्य कथं विवासनाविधिः ? न हि पूर्वदंडोऽपि महा-विषयक एवेति वक्तं शक्यः तत्र विवासनस्यैव व्यवस्थापितत्वादत आह । ब्राह्मणमिति । २५ त्वर्थमाह । पुनरिति । स्वल्पविषये बहुदंडस्यायोग्यत्वात् । तत्र ब्राह्मणे अर्थदंडस्यानुपद्मेव व्यव-स्थापितत्वादाह । अष्टगुणेति । अयं भावः । यद्यपि सामान्येनार्थदुंड उपादिष्टो योगिना तथापि तद्दानसमर्थे प्रत्येवायमुपदेशो नासमर्थे प्रतीत्यवश्यं वक्तव्यमन्यथा मुनेभ्रीतत्वापत्तिस्तथा च ब्राह्म-गस्यापि तत्सामर्थ्ये ताद्विषयेऽयमेव मुख्यः, तद्संभवेऽनुकल्पो विवासनम् । एतद्वैलक्षण्यसूचक एव तुः । सर्वथा तस्य शारीरदंडाभावेन सेवादिनिषेधेन चानुकल्पांतरस्यासंभवात्सर्वथा दंडाकरणे राज्ञो ३० दोषश्रवणात्मागुक्तविवासनमेव तस्यानुकल्प इति । यत्तेन प्रधानक्रियानिरूपितवैलक्षण्यसूचकतुशब्द्= निरोधादृष्टगुणेत्यादि्चिंत्यादि्त्रित्यमिति वीरमित्रोदयोक्तमपास्तं पुनः स्पष्टार्थमाह । विवेति । एतत् त्रितयस्वरूपमित्यर्थः । नन्वेवं क्षत्रादेरिप तद्संभवेऽनुकल्पो वाच्योऽन्यत्रात्र चानुकत्वाद्तः प्रागुकरीत्या न्यूनता निराचष्टे । इतरेषां त्विति । क्षत्रियादीनामित्यर्थः । तथाचैकत्वमत्राविव-

क्षितमिति भावः । यदा तु लोभादिकारणविशेषपरिज्ञानं न द्दातीति पागुक्तमूलापौनरुत्यायाह । अंगीकृत्येति । सिंहावलोकनन्यायेन पूर्वज्ञापि न्यूनतां निराचेष्टे । एतच्चेति । विप्रस्य दंडदानास- मर्थस्य विवासनं, क्षज्ञादीनां तद्समर्थानां कर्मकरणादीति यदुकं तदित्यर्थः । य इत्यायुक्तरेकस्यै- वेदं इति प्रमनिरासायाह । यदेति । समानेति । पागुक्तरीत्या पृथक् पृथक् दंड्या इत्यर्थः । तथा च मूलमुपलक्षणम् । 'श्रहं संमार्ष्टीतिवदुदेश्यविशेषणमेकत्वमविविक्षितं वेति न न्यूनतेति भावः । अभ्यासो महाविषयश्च तदा पागुक्तरीत्या सार्थदंडविवासनम् । नत्वज्ञापि यथायथं बोध्यम् । विशेषमाह । यदा तिविति । तदाऽनुबंधेति । जातिद्वयगुणाद्यपेक्षयेत्यर्थः । उक्तवेति । उक्ति पाठे समस्तम् । तत्र हेतुमाह । वागिति । वाचश्चलमन्यथात्वं तद्निवता इत्यर्थः । विशेषांतरमाह । न चेति । नापीत्यर्थः । प्रकारांतरमपि न कार्यमित्याह । भेद्येदिति । स्वयं रहस्यगमनेऽपि अन्यद्वारा १० भेद्देऽपि न कारिणीय इत्यर्थः । अत एव चोक्तिः । मूले रह इत्यव्ययम् । एतत्फलमाह । हीये- तैविमिति ।

उपस्थितत्वादुक्तन्युक्तमेणाह । अवचनिमिति । सर्वत्र व्यवहारे पूर्वीक्तमूळाभ्यामिति भावः । अग्रे एकस्यैवोक्तत्वादाह । अपवादार्थिमिति । अन्यथाऽपवादमित्येव ब्रूयात् ।

### याज्ञवल्कीये ८३ श्लोकः।

१५ वर्णशब्दस्य धर्मपरत्वस्यापि सत्वादाह । वर्णिनामिति । अर्थातराभ्रमायाह । शूद्रेति । अत्र प्रातिलोम्येन कथनं हीनस्यापि वधो गहितः, किमुत्कृष्टस्येत्यन्यत्राप्येवं बोध्यं इति ज्ञापनार्थे हिसू-चितमाह । सत्येति । तदानीं तस्याभावादाह । संभेति । अन्यसंग्रहाय तात्पर्याधेमाह । सत्यमिति । तदेवाह । अनेन चेति । चो वाक्यालंकारे । प्रागुक्तकमेगाह । असत्योति । उभयाभ्यनुज्ञाने उक्तेऽपि कुत्र किमित्याशंकायां तयोर्व्यवंस्थां द्शीयतुमुक्तकमेणेवादावसत्यवचनाभ्यनुज्ञाविषयमाह । रात्र विशेषमाह । एतत्स्वरूपमादावुक्तम् । अवचनाभ्यनुज्ञाविषयमाह । यत्र त्विति । वचने च तत्रापि । तत्र विशेषमाह । राजेति । यदीत्यस्य तात्पर्यमाह । अथिति । कथमपि न मुंचतित्यन्वयः । साक्षिण्य इति शेषः । तस्यापि । भेदस्यापि । तत्र बीजमाह । असत्येति । ननु तत्र दोषैक्येऽपि दुष्टत्वं तद्वस्थमेवात आह । तत्र चेति । तदोषनिरासार्थे चेत्यर्थः ।

तहींति। उभयाभ्यनुज्ञायामित्यर्थः। किमितिशेषः। नन्वित्यादिः। तच्छव्देन तयोरुक्तकमेण परा-१५ मर्श इत्याह । अन्तति । द्विजैरित्यनेन श्रद्धनिरासस्तस्यापि साध्यत्वात् तस्य तु प्रायश्चित्तं विष्णुनो-कम् । 'श्रद्धश्चैकाहिकं गोदशकस्य आसं द्वादिति । एकिति । एकिदिनभक्षणपर्याप्तमित्यर्थः। ब्राह्मणभोजनन्यायेनाह। एकैकश इति । सरस्वदेवताकत्वनिरासायाह। सरस्वतीति । अत्र शास्त्रे-ऽपरिभाषणादाह । अन्वति ।

ननु साक्ष्यवृतवचनावचनयोः स्थलविशेषे शास्त्राभ्यनुशाने यदि प्रत्ययाभावस्तर्हि प्रायश्चित्तोकिः 
रक्तला, अथ यदि प्रत्यवायस्तर्ह्यभ्यनुशानं व्यर्थमिति मिथो विरुद्धमिद्मत आह । इहायमभीति । अभिप्राय इत्यर्थः । अनृतवचनावचननिषेषौ दिविधौ, साधारणावसाधारणौ च । तत्राद्यौ 'नानृतं बदेत्य' नारभ्याधीतः ' अञ्चवन् विञ्चवन्वे ' त्यादिकौ, दितीयौ तु 'स तान् सर्वानवापोति यः साक्ष्यभानृतं वदेदिति' ' अञ्चवन् हि नरः साक्ष्यमिति ' च । एवं सिति प्रकरणात् दितीययोरेव शास्त्राभ्यनुशाः 
पशान्योर्वे पायश्चित्तमाद्ययोर्व्यवहितत्वात्वित्याद । साक्ष्यिनिति । सादिहिति ।

अत्र मूले पूर्विभिनिति भावः । नन्वेवं प्रायश्चित्तविधानं व्यर्थमिति चेन । साधारणनिषेधापवादाभावात्तत्रान्यनुज्ञाभावात्तद्दितिकमजन्यद्रोषपरिहारायास्य साफल्यात् यच्छब्देन द्विद्धस्थवाचिना तयोः परामर्श-संभवादित्याह । यत्त्विति । नन्वेवं वर्णिनामित्यभ्यनुज्ञापरवचनमनर्थकम् । सामान्यतो निषिद्धभूतवचनातिकमजन्यद्रोषयोस्तथाऽप्यवस्थितत्वादित्याह । न च मतव्यमिति । निमित्तेति । निमित्ति । निमित्तेति । पूर्व मूले तथा कमस्य सत्वात्तद्वनुरोधेनात्र सर्वत्रानृतवचनस्य पूर्विनिपातः । प्रत्यवा-यस्येति 'जातावेकवचनं '। एवमभेऽपि । तत्र प्रत्येकाभिप्रायं वा हेतुमाह । यत इति । साधारणनिष्धातिकमजन्यप्रत्यवाययोर्भ्यस्त्वाभावप्रतिपादकतया तस्य सार्थक्यामिति भावः ।

ननु बह्महत्याविचारे पापं भवति, तथोयोगे ततोऽधिकं, तद्धनने कृते तु महत्पापामिति पूर्वपूर्वीपेक्षयोत्तरोत्तरस्य पातकस्याधिक्येऽपि हत्यानिमित्तकमहाप्रायश्चित्ते कृते आनुषंगिकविचारोयोगादिजन्यानांमल्पीयसामपि पापानां यथा निवृत्तिस्तथेहापि तत्राभ्यनुज्ञावचनेन महतः प्रत्यवायस्य १०
निवृत्तरेतुषंगासिद्धसाधारणानृतवचनावचननिषेधातिकमजन्यस्वल्पप्रत्यवाययोरपि निवृत्तिः स्यादिति
तद्र्यं प्रायश्चित्तोपदेशो व्यर्थ एवेत्याशयेन शंकते । यद्यपीति । यस्य कस्यापि । 'तथाऽपीह '
इति ।वचनद्धयकरणादिह तथा न अन्यथाऽन्यतरवयर्थं स्पष्टमेव ।अभ्यनुज्ञावचनात्तथासिद्धावेव पायश्चित्तवचनादेतत्सिद्ध्यतीत्युभयोरुशेखः । साक्षियहँणमुपलक्षणमित्याह । एतदेवेति । स्वातंत्र्येणानुकत्वात् । अन्यत्र साक्षिभिनेषु । अन्यतेति । सामान्यवचननिषिद्धत्यादिः । अत एव तत्र प्रत्यवाया- १५
भावात् । एवं तौल्येऽपि कश्चन विशेषमाह । न चेति । मूलोकं तु साक्षिविषयकमिति भावः ।
पकृतवैषम्यमाह । प्रतीति । ननु भवत्करीत्या तद्भावस्तथाप्यनूर्वतवचनादेव अयं राजदंडस्तु
स्यादेवात आह । निमित्तांतरेणेति । अन्येषां च पांथादीनां। अस्मादेव । अभ्यनुज्ञावचनादेव
अपराधे सति दंडः शास्त्रतस्तदभ्यनुज्ञानेऽपराधाभावेन तद्भावः । यदि तु दंडः स्यात्तद् तद्धिस्य पराधकर्यना स्यादिति वचनवैयर्थं तद्वस्थमेवेति भावः ।

इति साक्षिपकरणम् ।

# अथ हेरूयप्रकरणम् ६।

व्यवहितसंगतिं प्रदर्शयन्स्वल्पसुपोद्धातमाह । अक्तीति । तत्र निरूपणीये लेख्ये । तत्र शासन-मिति पाठः । तयोर्मध्ये इत्यर्थः । तस्र जानपदं च । अन्यकृतिमिति । सामान्यवेचनं निषिद्धमिति भावः । अन्यकृते पूर्वपाठे अन्यकृतिमिति नारदानुरोधात् । तत्र तयोर्भध्ये । असाक्षिकं साक्षि- २५ निर्पक्षम् । देशव्यवहाराविरोधाय व्यवस्थामाह । अनयोश्चेति । कमस्य विविक्षतत्वात्स्वहस्तेत्यस्य पूर्वनिपातो दंदे, मध्यमपद्लोपिसमासो वा । यथेति पाठः । लेख्यं तु यथा स्वहस्तकृतमन्यकृतं चेत्येवं दिविधं श्चेयम्, तथा यथाकममसाक्षिमत्रसिक्षमचेत्येवं तद्धभयं श्चेयमित्यर्थः । तथेति पाठे पूर्वत्र तथेतिवद्यथेत्यस्याध्याहारेणोक्त एवार्थः । सिद्धिरिति । तयोर्देशास्थितेस्तद्वाचारात्प्रामाण्यमित्यर्थः । अथ मूलमवतारयति । तत्रोति । तयोर्मध्ये इत्यर्थः । तस्य प्रामाण्यस्य बहुपायसाध्यत्वा- ३० द्वादावुक्तिः ।

१ ड-निविद्धानृतवश्वमः २ क-स-जनानां । ३ ड-प्रमाणम् । ४ ख-अनृतवचनाद्पयुक्ती राजदण्डः । ५ ख-पांचेति सामान्यवचनं ॥

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## याज्ञवल्कीये ८४ श्लोकः।

यः कश्चिदिति। उक्तनारदाद्दक्ष्यमाणमूलाचास्यान्यकृतपरत्वम् । कश्चिद्र्थमाह । हिर्ण्योति । तामेवाह । इयतेति । रूच्यंतरमाह । इयती चेति । 'निष्णात ' इत्यस्य व्याख्या व्यवेति । 'तिस्मिनि ' त्यस्य व्याख्या अर्थे इति । विषयसप्तमीयं, विप्रतिपत्तावन्वयः यथा-श्चितेऽनुपपत्तेः शेषमाह । कालांतरे इति । पंत्तौ संभावितायामिति शेषः । लेख्ये साक्षियुक्ततं तचामवैशिष्टचेन । अत एवाग्रेऽपि यथाश्चतासंभवादाह । नामेति । 'कार्यमि 'त्यस्य व्याख्या कर्तव्यमिति । 'लेख्यं वेति ' वाशव्दसूचितं लाघवाद्दिशेषं पक्षांतरमाह । उक्तेति। ते एव वेत्यर्थः । नारद्मेवाह । कर्त्रा त्विति । वादेषु सत्सु । पक्षांतरमाह । स्वकृतिमिति । वाऽथ । अथ वा । नैतावत् ।

#### याज्ञवल्कीये ८५ श्लोकः ।

पागवदाह। धनीतिमात्रेण तस्यापूँतिंरित्याह। अपि चेति। अत्र समादीनां व्याप्यव्यापकभावः। अत एव कमस्य प्रतिपाद्यत्वात्तस्य पागुक्तिरंवं कमो नामादावपि बोध्यः। समाशब्दः स्त्रीलिंगो बहुबचनांत इत्याह। समा इति। तद्रद्धः पक्ष इति पाठः। अक्रीबत्वादेकदेशिसमासाभावात्षष्ठीतत्पुक्षः। अविनिगमकत्वादाह। कृष्णो वेति। अहःशब्दोऽत्र अहोरात्रपर इत्याह। तिथिरिति।
१५ पावग्दाह। धनीति। स्वार्थे क इत्याह। वासीति। अयं दंदस्तदाह। एतौरिति। अये सत्वाद्त्रापि
अध्याहरिति। चिह्नितमिति। अन्यद्प्याहेत्याह । तथेति । ' सब्रह्मे ' त्यस्य तत्साधारणमित्यर्थस्तद्गह। बह्वचेति। बह्वचादेर्यो शाखा तद्ध्ययनप्रयुक्तमित्यर्थः। अत एवाह। गुणोति।
पागवदाह। धनीति। एतैश्चिह्नितमिति पाठः। वाक्यपूर्तये आह। लेख्यमिति।

## याज्ञवल्कीये ८६ श्लोकः।

२० माग्वदाह। किंचेति। अर्थोऽत्र पागुक्त एवेत्याह। धनिकोति। यथाश्रुतासंगतेराह। छिखित इति। अत्रेत्यस्य न्याख्या। अस्मिचिति। परकृतर्त्वादाह। छेखितमिति। अमुकपुत्रस्येत्यार्षम्। एवमग्रेऽपि। इतीति। एवंप्रकारेण नाम निवेशयोदित्यर्थः। यथाश्रुतासंगतेराह। छिखेदिति।

#### याज्ञवल्कीये ८७ श्लोकः।

प्राग्वदाह । तथिति । साक्षिमित पत्रे प्रतिपादितमर्थमाह । तस्मिनिति । चार्थमाह । स्प तेऽपीति । स्वार्थे कः । लेखने नाम पूर्वत्वाभावादाह । लेखनेति । अत्रार्थमाह । अस्मिनिति । समुद्रायिनरासायाह । अमुक इति । उक्तिस्वारस्यादाह । एकैकिति । वैषम्यस्यपागुक्तत्वाद्त्र विषये विशेषमाह । ते चेति । विनिगमनाविरहादाह । संख्येति । एतेनासमा इत्यकारमञ्लेष इत्यपास्तम् । उभयत्र
'स्वहस्तेने ' त्यंशे विशेषमाह । यद्यधेति । साक्षी वेति । अलिपिश इति भावः । स्वमृतमित्यादेरनुषंगः । समीपतः समीपे ।

#### याज्ञ व्हर्तिष्टे ८८ श्लोकः ।

माग्वदाह । अपि चोति । ततः साक्षिलिखनानंतरम् । अन्ते सर्वाधः । न तूपरि ।

१ निमतिपत्ती । २ निवादेषु । ३ का-तस्य प्तिरित्याह । ४ इ-श्ल-मञ्चतत्वात् । ५ का-इत्यस्यानुषंगः ।

# याज्ञ स्कीये ८९ श्लोकः।

चिनाऽपीति । तुरुक्तैलक्षण्ये । यत् लेख्यं स्वहस्तलिखितं तत्तु लेख्यं साक्षिभिविंनाऽपि प्रमाणं स्मृतं मन्वादिभिरित्यन्वयः । लेख्यमित्यस्य पुनरुक्तिः स्पष्टार्था । अये 'तत्र ' सर्वमिति पाठस्तु युक्त एव । तद्वाह । यदिति । मुख्यमुपिधशब्दार्थमाह । छल्लोति । न्यूनतानिरासायेदमुपलक्षणं इत्याह । लोभिति । एतत्सूचनार्थमेव नारद्माह । नारदोति। मत्तेति । अत्र स्व्यादेईदं कृत्वा पुनः सः । मत्तः पानादिना । अभियुक्तः आक्षिप्तः । चस्त्वर्थे ।

प्रागुक्तमेव 'सिद्धिर्देशस्थितेः ' इत्यस्यार्थं कथयन साविशेषसुपपादयनाह । तश्चितादिति । तदेतत्रेत्यर्थः । इद्मेव प्रत्यासत्त्या व्युत्कमेणाह । स्वहस्तेति । अवन्धकव्यवहारे च युक्त-मिति । तत्र च यथाक्रमं नियतं संबन्ध्यं इत्यर्थः । अग्रेऽन्वयः । इत्येतावदिति व्याचष्टे । न पुनिरिते रेवेति । किं त्विति शेषः । प्रातिस्विकेति । 'प्रतिनियतेति 'पाठांतरम् । अपिना १० तेषामपि समुख्यः । व्यक्ताधीति विशेषमेव व्याकर्तुं कर्मप्रत्यये अर्थासंगतेराह । विधानमिति । भावे किंरिति भावः । गोप्याधीति समाहार इंद्रः । आदिनाऽकालकृतादिपरिग्रहः । सबंधकव्यवहार-विषयमिदं स्पष्टं । 'बंधकप्रकारलक्षणं यत्र तत्त्रथेति तु ' कल्पतरः । कमस्य साकांक्षत्वादाह । अर्थानामिति । 'अवीति ' व्याचष्टे । कमश्चोति । एवं पदार्थमुक्त्वा वाक्यार्थमाह । तद्विमिति । नारद्तात्पर्यार्थे प्रागुक्तमेवाह । राजेति । व्यतिरेके दृष्टांतः ॥ ८९ ॥

संगतिमाह । लेख्येति ।

#### याज्ञवल्कीये ९० श्लोकः।

प्रागुक्तं दृष्टांतयति। यथेति। एवं च तत्सजातीय एवायमथीं न त्वपूर्वं इति भावः। अत एवाह। आहर्त्रिति। एवव्यवच्छेद्यमाह। न चेति। पूर्वोक्तिं सफलयति। नियेति। अत एवाह। नियति। अवीति। साक्षिलेख्यसाधारण्येनेत्यर्थः। नियतं नियमितम्। क्रचित्तथैव पाठः। अस्यैव 'पुत्रपौते' २० रित्युक्तस्यैव सामान्यस्य। प्रभवां जन्यां। इदं 'कणं लेख्य कृतमिति'। तदेव स्मृत्यंतरं प्रकरण- शुद्धिपूर्वकमाह। तथाहीत्यादिना। तद्याचष्टे। इत्थमिति। एविमत्यस्य व्याख्येयम्। एतद्थमेव तदुक्तं पाक्। 'तं कालमपीति' पाठः। कालं अतिकांतमपीत्यर्थः। क्रचित् समस्तपाठः। अव्यवहितान्वयनिरासायाह। संबंधीति दाप्यते। राज्ञेति शेषः। दापयेदिति पाठांतरमुभयत्र।

इतो यथा तदा शंका तामाह । अत्रोति । तदुक्तवित्यर्थः । 'प्रतीयते ' इत्यत्रान्वयः । २५ पत्राक्तः कणविषये पुत्रपौत्रादिभिरेव देयमिति नास्यार्थः । किंतु बहुवचनाद्वरतो कणे व्रतायसंबंधित्वे सित देयत्वप्रतीत्याऽर्थात्पपौत्रादिभिरेव देयमिति प्रतीयते । तथा पौत्रे मृते तत्पुत्रस्य तेनादातृत्वप्राप्तावप्यतिकांतमित्युक्तेस्तेषां दातृत्वप्राप्तिभवतीति भावः । तथा तद्दत् । 'अभिहित ' मित्यस्यानुषंगः । प्राग्वदाह । अत्रापीति । प्रतीयते इत्यत्रान्वयः । सामान्योक्त्येवात्र प्राग्वन्नावधारणमित्याह । चतुर्थादिभ्योऽपीति । आक्षेपसमाधियुक्तमुपसंहरति । अत्रश्चेति । नन्वेवं २० हारीतकात्यायनयोः का गतिरत आह । वचनोति । चस्त्वर्थे । आधे पितृणां बहुत्वमविवक्षितं उद्देश्यगतत्वात् । कालातिकमस्यापि तावत्पर्यतस्यव संभवेन ग्रहणं न त्विग्रमस्य । द्वितीयमिप तावत्परमेवेति भावः ।

१ 'साधुशब्दैरेनेति '। २ 'उपसर्गे घोः किः ' व्या. स्त. ( ३।३।९२ )।

नन्वेतद्भावे कथं पूर्वपाप्तिरत आह । सबंधाति । अपिना द्वितीयसमुच्चयः । अस्य नियमेऽन्वयः। अयौगपद्यायाह । क्रमेणेति । ऋणेति । 'चतुर्थादेरि ' त्यादिः । नन्वेतावताऽपि स्फुटं न तत्वप्रतीतिरत अपवाद्त्वमुपपाद्यति । यावदिति । अस्यार्थमाह । 'चतुर्थेनेति ' दिक्पदर्शन- मिद्म । तत्पदार्थमाह । ऋणमिति । सर्वमिति न्यायेनाह । तावदेवेति । पाग्वत् पाप्तपौनहत्त्यं निराचद्दे । नन्वित्यादिना । स्यादिति । अत इद्मप्यावश्यकं तस्य तत्पाप्र्यर्थमिति भावः ॥९०॥ संगतिमाह । प्रासंगीति ।

## याज्ञवल्कीये ९१ श्लोकः।

'नहोन्मृष्टे ' इति समाहारद्वंदः । नन्वत्र देशांतरस्थादि उद्दिश्य पत्रांतरकरणिषिः प्रतीयते तत्र किं तेषां प्रत्येकं निमित्तत्वमृत समुद्रायस्य ? । तत्र न तावद्याः । तथा १० शब्दासंगतेः । सकृच्छुतस्य विधेयस्य सवैरेंन्वयासंभवाच । न चावृत्त्या तथा प्रधानानुरोधेन गुणा-वृत्तावपि वैपरित्यस्य सकलतंत्रविरुद्धत्वात् वाक्यभेदापत्तेश्च । न द्वितीयः । अथ वेत्यस्यासंगतेः । स्मृत्यंतरिवरोधेनापासिद्धांताच । अत आह । द्ययोति । पत्रे पूर्वपत्रे सति । अन्यथानुपपत्त्या सकलसाधारणानुगतधर्माक्षेपेणास्यैवोद्देश्यत्वं ' न तस्येति न कोऽपि उक्तदोष इति भावः । णिजर्थाविवक्षया आह । कुर्यादितीति । पाद्त्रयार्थस्येवं सत्यन्वयं कथयन्व्यवहाराक्षमत्वमेव विशद्यति । द्ययोति । १५ एतेन तदेव कथमिति शंका निरस्ता । अक्षमत्वं च अक्षमत्वं तु । अस्य भवतित्पत्रान्वयः । कमणे निमित्तानि व्याचष्टे । अत्यन्तोति । निकटे आनयनस्य सुकरत्वालकृत्यार्थाऽयम् । ' पत्रे ' इत्यस्याप्रे सर्वज्ञान्वयः । ' दुष्टानी ' त्यस्यार्थद्वयम् । ' लेख्यानी ' त्यस्यापि । तयोः यथासंख्यमन्वयः । नष्टादेरीपाधिकभेदमाह । कालेत्यादि । आदिना जलपातादिना । विद्रिलिते संचूर्णिते । द्रिधे प्रज्ञेति । ' द्रिधेऽग्रिनोति ' पाठांतरम् । सर्वपाठोऽपि क्रचित् स्पष्टार्थः । एतेषामापि विकल्पो २० वौध्यः । अत एव 'अथवे ' त्यस्य संगतिः । 'तथेति ' तु साद्दश्ये न तु समुच्चये ।

नारद्विरोधं मूलस्य परिहरन् विशेषमाह । एतच्चिति । पत्रांतरकरणं चेत्यर्थः । तत्र तस्याव-रूयकत्वादाह । व्यवेति । तादृरो स्थले आह । देशांतरिति । दुर्गेति । दुर्खनापि गंतुमशक्यदेशे इत्यर्थः । 'दुर्देशोति' पाठांतरम् । अयं प्रकारोऽन्यनापीत्याह । नष्टे वेति । वा चार्थे । तेनान्ये-षामपि समुचयः । उत्तरार्धे व्याचष्टे । सत इति । तेषां मध्ये इत्यादिः । तत्पदार्थमाह । आन-२५ यनायेति । समासस्तु संबंधसामान्यषष्ट्या कार्यस्तत्र । पुनस्तु । अन्यनिरासायाह । पूर्यमिति । तत्कर्मकं दर्शनमिति नार्थ इत्याह । तैरिति । लक्ष्यार्थमाह । व्यवेति ।

विशेषांतरमाह । यदा त्विति । कात्यायनमाह । अलेख्येति । लेख्यसाक्ष्युभयरिं व्यवहारे इत्यर्थः । देवीं कियाम् । विशेषांतरं वक्तुमुक्तमेवाहैतच्चेति । जानपदमिति लौकिक-मित्यस्यैव नामांतरम् । 'लौकिकं राजकीयं च लेख्यं कुर्याद्विलक्षणामिति ' वसिष्ठोक्तेः । 'राज-३० कीयं जानपदं लिँखितं द्विविधं स्मृतमिति'संग्रहोक्तेश्च । अत्रोभयत्र राजकार्यं राजकीयमित्याभ्यां प्रत्येकं त्रयाणां ग्रहणमिति न न्यूनता । अत एवाह । राजकीयमपीति । कात्यायनमाह । राज्ञ इति । तथेति समुचये । ''राजकीये तथा राजा स्वहस्तेन लिखेत् स्वयम् । मतं मेऽमुक-पुत्रस्य ह्यमुकस्य महीपते 'रिति व्यासः। अथें व्यिति विषयसप्तमी । साक्षिमदिति साधारणोक्तिः ।

१ ख-रार्वेध्वन्वयासंभवाच । र क-राजकार्यम् । ख-राजकार्या । ३ ख-लेखितम् ।

यथोपेति । येन पकारेणोपन्यस्तो यः साध्यार्थः प्रतिज्ञार्थस्तेन संयुक्तम् । अनेनाद्यपाद्पद्र्शनम् । उत्तरं च क्रिया च ताभ्यां सहितम् । क्रिया प्रवादिक्षणा । अनेन द्वितीयपाद्पद्र्शनम् । अवधारणं निर्णयस्तेन सहितम् । स्वार्थे कः । अनेन तुर्यपाद्पद्र्शनम् । हस्ताङ्कं तद्क्षराङ्कम् । एवमप्रेऽपि । वादिने इति । 'पूर्वीत्तरिकयावादिनिर्णयान्ते यदा नृपः । प्रद्याष्ट्रायिने छेख्यं जयपन्नं तदुच्यते ' इति वृह्ह-स्पत्युक्तेरिद्मुपळक्षणम् । अनादिश्राद्धं सूचयन्नेवाह तथेति । कात्यायनमाह । सभेति । पत्न व्यवहारे । यथेति । क्रियमाणे राजकीयव्यवस्थापन्ने यथा तद्दष्ण्यपन्नेऽपीत्यर्थः । एवेन तस्यावश्यकता सूचिता । व्यवहारस्य निःशल्यत्वोपायं प्रतिपाद्यन्त्रन्न हेतुभूतं विशेषांतरमाह । सभोति । चन अन्येषामपि तन्नत्यानां समुचयः । यत्र निर्णयविवादे । विशेषान्तरमाह । एतदिति । जयपन्न-मित्यर्थः । कात्यायनमाह । साध्ययेदिति । साध्यार्थसाधकं तद्न्वितं च यद्यवहारस्वरूपं यत् यतोऽतस्तदेव तदंकितं तदिष्यत एवेत्यर्थः । चेनान्यसमुच्चयः । यथपीदं सभासदां चेत्यतः प्रागुचितं १० तथापि सभासदां पर्सगात्तदिषयकं तदादावुक्तम् । एवव्यवच्छेयमाह । यत्र त्विति । तस्योपयोगमाह । तञ्चिति । हीनपन्नं चेत्यर्थः । विशेषः । हीनपन्नतः ।

#### याज्ञवल्कीये ९२ श्लोकः।

संशयकोटिद्दयमाह । शुद्धिमिति । कृत्रिम कृतिमं चेत्यर्थः । तथा च नारदः (अ. १ श्लोक १४३-१४४) "यस्मिन्स्यात् संशयो लेख्ये भूताभूतकृते किचित् । तत्स्वहस्ताक्रियाचिह्न- १५ युक्तिपाप्तिभिरुद्धरेत् ॥ लेख्यं यचान्यनामाङ्कं हेत्वन्तरकृतं भवेत् । विप्रत्यये परिक्षेत संबंधागम- हेतुभि''रिति । विप्रत्यये विप्रतिपत्तौ । 'लिखितमिति'कर्मणि भूते निष्ठा । तेनेदानितन्थावृत्तिस्तद्दाह । स्वहस्तेनेति । प्रत्यांसन्नत्वादाह । लेख्यांतरिमिति । पत्रांतरित्यर्थः । ननु द्वयोर्भेदेन तेनास्य कथं शुद्धरत आह । यदीति । साक्षीति । साक्षिलेखकयोर्यत्स्वहस्ताभ्यां लिखितान्तरे । एतद्पेक्षया भिन्ने लिखिते तत्संवादाद्देतल्लेखीयाक्षरस्य तद्क्षरसाहश्यादेतत्पत्रस्य शुद्धिरित्यर्थः । २० तथा चेद्मन्यकृतविषयम् । श्रोतं तुस्वकृतविषयमिति भावः । इतिः पूर्वार्धाभ्रमाप्तौ ।

देशकाले इति । समाहारदंदात् सप्तमी । 'कालपुरुषेति'पाठे समस्तं त्रयाणां तेन संबंध इति यावत् । तदेवाह । अस्मिनिति । युक्तिपदार्थमाह । घटत इति । योग्यं भवतीत्यर्थः ।संभवतीति यावत् । कल्पतरुरप्येवम् । युक्तिरर्थापत्तिः । प्राप्तिईयोरेकत्रावस्थानमित्यन्ये । तत्साक्षीति । प्राप्तिसाक्ष्यपेत्यर्थः । अत एव वक्ष्यमाणविरोधो न, कल्पतरुरप्येवम् । संव्यवहारः क्रियेत्यन्ये । २५ आदिना स्वस्तिकमुद्रादिपरिग्रहः । पूर्विमिति विवादात्थागित्यर्थः । दानिति । धनस्येत्यादिः । श्रीकारादीति औदिना स्वस्तिकमुद्रादिपरिग्रहः । अर्थस्य धनस्य । आगमः ईपूर्विमिति विवादिकयादि-रित्यन्ये । आगमातदंदस्य हेतुराब्देन कर्मधारय इत्याह । एते एवति । उत्तरार्धस्य क्रियांतरा-ध्याहारेणान्वयः । भ्रमनिरासायाह । एभिरिति । सोऽप्येवं हेतुरनुमानमित्यन्ये । विशेषमाह । यदा त्विति । तदास्त्वास्ति । पत्रारुदान्ति। सोऽप्येवं हेतुरनुमानमित्यन्ये । विशेषमाह । यदा त्विति । तदास्त्वासिणिरिति । साक्षिसमिति । इदं कातीयं । तदेवाह । न मेति । एतेन अन्येन केनचित् । अतएवाह । कारितमिति । तत्पत्र मिति । तत्पत्रं प्रमाणत्वेनानाशित्य अथ अनंतरं दिव्येन निर्णयः कार्य इत्यर्थः । 'अथ दिव्येनेति'पाठः । 'अर्थे ' इति पाठे तद्दिषये इत्यर्थः ॥ ९२ ॥ अवतरणमाह । एवमिति । दातुमिति । युगपदिति शेषः । एवमप्रेऽपि ।

१ ख-चो हेतो । २ ख-तत्वस्पापि सत्वादाह । ३ क-ख-आदिना आध्यादिपरिप्रहः न स्वस्तिकमुदादि ।

## याज्ञवल्कीये ९३ श्लोकः।

आर्थिकमाह । शक्तीति । उत्तरार्द्धार्थमाह । उत्तेति । स्वहस्तशब्दो लाक्षाणिक इत्याह । लिखितोति । तथा च क्रियाविशेषणमिद्मिति भावः । अत्र पक्षे तत्पृष्टभागे तिल्लखने ऐच्छिकविकल्पे लब्धः । स च न युक्तः । तस्याष्टदोषदुष्टलात् । प्रकारांतरेणोत्तरार्धस्य साफल्ये । तथोक्तरयुक्तताल्लक्षन् णाद्यापत्तेश्वात आह । यद्वोपगतमिति । भावकांताद्र्श आद्यजित्याह । प्रवेशपत्रमिति । पर उत्कर्ष इतरव्यावर्तकत्वरूपो यस्यास्तीति परि लिखनं स्वहस्तस्य परि तेन चिह्नितमिति पत्रविशेषणं ताहृशं लेख्यांतरं कृत्वेति भावः । तदाह । स्वहस्तिलिखितीति । भावे कः । उत्तमणं इति । प्राप्ताल्यम इति भावः । तथा चात्र न लक्षणा कापि । लेख्यासिनिधिविषयं चेद्म् । तदाह विष्णुः । ' असमग्रदाने लेख्यासानिधाने चोत्तमणः स्वहस्तिलिखतं द्यादिति ' । नाव्यवहितमात्र- १० विषयमिदं किंतु साधारणमिति ॥

# याज्ञवल्कीये ९४ श्लोकः।

सांनिध्याद्धुत्कमेणाह । कमेणेति । द्वितीयपादं व्याचिष्टे । यदा त्विति । वा चार्थे । तेनान्येषामपि संग्रहः । मौलस्तु विकल्पे एव । अधेति । स्वाधेत्यर्थः । अन्यत् पूर्वकृतात् भिन्नम् । णिजर्थमाह । उत्तमर्णम् इति । उत्तमर्णेनेति पाठांतरम् । 'हैंकोरिति' वा कर्मत्वात् । तात्पर्यार्थमाह । १५ पूर्वोक्तेति । प्रागुक्तरीत्यर्थः ।

एवं छेख्यैस्थाने उक्वा साक्षिमात्रप्रमाणकऋणग्रहणविषये आह । ससाक्षिके इति । साक्षिणां सर्वदा सान्निध्यासंभवादिदं यौगपग्रविषयकमित्याह । कृत्स्ते इति । चस्य ब्युत्क्रमान्व-यादाह । यच्चेति । यन्त्रित्यर्थः । क्वित्तथैव पाटः । पूर्वेति । बहुवीहिस्तत्साक्षिसमक्षामित्यर्थः । किचिदेवमेव पाटः । वा एवार्थे व्युत्क्रमे चेत्याह । एवेति ॥ ९४ ॥

२०

#### इति लेख्यपकरणम् ।

# अय दिञ्यप्रकरणः ् ७।

संगतिमाह । लिखितेति । अभ्यर्हितत्वात्प्रवृत्तिकमस्य विवक्षितत्वाचास्य पूर्विनिपातः । 'अथे 'त्यस्य 'कथयती 'त्यत्रान्वयः । प्रतिबंधकशिष्य—जिज्ञासानिवृत्तौ सत्यामवश्यवक्तव्यत्व-रूपावसरसंगतिपाप्तमित्यर्थः । दिव्यमिति जातावेकवचनम् । तुलाधारणेत्यादिना दिव्यमातृकां २५ दिव्योगोद्धातम् ।

तत्रायश्लोकमवतारयाति । तत्रोति । दिन्यमातृकायां कथनीयायामित्यर्थः । तावदादौ । नाम्ना वस्तुसंकीर्तनमुद्देशः ।

# याज्ञवल्कारे ९५ श्लोकः।

कर्मवत्स्य विवक्षितत्वा जुलाशब्दस्य पूर्वनिपातः । त्रयाणामितरेतरद्वंदः । समासांतविधेरनित्य-३० त्वाच सः । विद्याद्विपदार्थमाह । संदिग्धस्येत्यादि चतुर्थ्यतेन । नित्यसापेक्षत्वादाह । संदेह नीति । योग्यतयाऽऽकांक्षाशांतये आह । दातेति ।

१ क-अष्टविथ दुष्टत्वात् । २ 'हकोरन्यतास्याम् ' व्या-छ० । ३ क-लेख्यस्थले ।

एतान्येव दिव्यानीत्याशयेनावतरणमाह । नन्यिति । घट इति । ' घटः स्यात् तुला काष्ठ-मिति , कोशः । पितामहोति । बृहस्पतिरिप । " धटोऽमिरुद्कं चैव विषं कोशश्च पंचमः ॥ बहुं च तंडलाः प्रोक्ताः सप्तमं तप्तमाषकः ॥ अष्टमं फाल इत्युक्तं नवमं धर्मजं समृतम् । दिव्यान्ये-तानि सर्वाणि निर्दिष्टानि स्वयंभुवेति ''। अत एव राकायां बहुवचनसंगतिः। पतावन्ति पंच।

त्रेघा नियमः संभवति अपराधिवशेषे, दिव्यस्वरूपे, उभयत्रापि; तद्यथा, महाभियोगरूपापराधेष्वेवं दि्व्यानीत्याद्यः, इयंत्येव दि्व्यस्वरूपाणीति द्वितीयः, तस्तृतीयः, तथाऽप्याद्य एव नियमः स्वीिकयते न द्वितीयतृतीयौ । पितामहोक्तिविरोधादित्याह । प्तानीति । 'तुले 'त्यत्र निर्दिष्टानि दिन्यानि । महाभियोगेष्वेवेति नियम इत्यर्थः । 'न-प्रनिरं १ त्यनेनार्थो त्तृतीयस्यापि निरासः । प्रनःशब्देन तिनरास इति त्वयुक्तम् । उद्क्षरत्वात् । न प्रनिरिति । न त्वित्यर्थः । अनेन शंका समाहिता । नियम्यते नन महत्त्वस्यासावधिकत्वेनानियमापात्तिरत आह । महत्त्वेति । नासहस्रादिगत्यादिनेति भावः। तथा च नानियम इति बोध्यम् ।

स्मृत्यंतरिवरोधापत्या मोक्तनियमो न घटत इत्याशंक्य परिहरित । नन्वल्पेत्यीद । पितामहमाह । कोशमल्पेऽपीति । सत्यमिति । उक्तवचनाविरोधाय विधिनियमयोविधिज्यी-यस्त्वेन तथैव स्वीकियते न तु तस्य नियमशरीरे पवेशः तथा च तस्य तैः सह पाठो न तद्रथाँऽपि १५ त यथा तुलादीनि सावष्टंभाभियोगेषु एवमयमपीत्येवमर्थे इति भावः । सावष्टंभाभीति । अवष्टंभेन सहितः सावष्टंभः । 'स्वोपरि दंडांगीकारश्चावष्टंभानिश्चयः स ग इति कल्पतरुः । अन्यथा मुळे कोशस्यानुपादाने कोश । इति भावः । मूळानुकत्वात् स्मृत्यंतरमाहावृष्टंभेति । 'सावष्टेभेति' पाठांतरम् । **पिताम**होक्तिरियम् । **धटादीनि** चत्वारि **शंकास्वेवेचि ।** 'शंकास्वेतानि योजये १ दिति पाठांतरम् ।

तथा च महाभियोगो महाभिशापः । स च द्विविधः । शंकितः सावष्टंभश्च । स्वोपरि दंडम-ङ्गीकृत्य लापितः सावद्यंभः। एवमल्पाभियोगेऽपीति बोध्यम् । अत एवाह । महाभियोगेष्विति तस्द्रेदायाँह । इांकितोब्दाति । उभयविधमहाभियोगेष्वविशेषण पोक्तृतायादेविशेषानादरेणैतेषां तुलादिचतुणीं पाप्तावित्यर्थः ।

अनुवृत्त्याहैतानीति । चत्वारीत्यर्थः । अर्थीदाह । अभियुक्तस्येति । शक्यार्थमाह । शिर २५ इति । प्रकृते व्यवहारपुरुषस्य तदाह । व्यवेति । स्पष्टार्थं पुनस्तत्स्वरूपमाह । जयेति । प्रकृते तु पराजय एव विवक्षितः । अत एव तत्संबंधाङक्ष्यार्थमाह । तेन चेति । ' तिष्ठति ' रत्न अहानौ । ' समये तिष्ठ सुग्रीवेति ' वत् । अंगीकृतदंडनं न जहातीत्यर्थः । अत एवाह । तिदाति । पराजये-त्यर्थः । इत्यर्थ इति । ' तस्मिन्सती ' त्यादिः । अभिशापदातरि शीर्षकस्थे पराजयहेतुँकद्ंभाजि सत्येवैतानि भवंति । ' यद्यनेनेदं न कृतं स्यात्तदा मया दंडो देय ' इति वादी शिर्षकस्थः तादृशे ३० तस्मिन् सतीत्यर्थः । तथा च सावष्टंभेष्वेव तेषु तेर्नं नाशंकितेषु तेष्विति विशेषोत्तया तद्पवादत्व-मित्यर्थः ॥ ९५ ॥

[।] ख-प्रवामेऽपि । २ ख-तद्भेदमाह । ३ क-हेंतुकं । ४ क-तेष्वेतेन शंकितेषु । ख-तेनाशंकितेषु

यद्यप्यव्यवहितसंगतिः ' तत्र विकल्पमाहे ' त्येवं संभवति तथापि विशेषप्रतिपाद्नाय व्यवहितसंगतिमाह । तत इति । वस्तुतस्तद्पवाद्त्वाभावादाह । वादार्थमिति । तद्र्षमुका-पेक्षया विकल्पमाहेत्यर्थः । रुचिरैत्र न प्रसिद्धत्याह । अभीति । 'अन्यतर ' इत्यत्र ' अल्पाच्तरः मितिवत् । स्वार्थे तरप् । उक्ताद्न्य इत्यर्थः । तदाह । अभियोक्ता वा दिव्यं कुर्यादिति । मौलं विकल्पमाह । वा दिव्यमिति । अत एवाह । इतरोऽभीति । दंडविकल्पमाह । अर्थदंडं वेति । एतेन तरपो यथाश्रुतत्वेन तस्याभियोक्ताऽभियुक्तो वेति व्याख्यानम्, अप्रे वैकमेवेति क्रचिदुपलभ्यमानम्युकं वेदितव्यम् ।

# याज्ञवल्कीये ९६ श्लोकः (पूर्वार्धः)

ननु दिव्यतत्वे ' शीर्षकस्थे ' इत्यनेनाभियोक्तुः शिरोवर्तित्वाभिधानाद्भियुक्तस्य १० दिव्यमित्युक्तम् । रुच्येत्यनेन तु अभियुक्ते शिरोवर्तिनि तदिच्छया अभियोक्तुरि दिव्यमुच्यत इत्युक्तमिति तथैव कुतो नोक्तमत आह । अयमभीति । अभियाय इत्यर्थः । भावैकेति । भावमात्रेत्यर्थः । इतिस्तत्समाप्तौ । अयं भावः । अयं च विकल्पोऽभियोक्तिवच्छायामेव । तद्निच्छायां त्वभियोज्यस्यैव दिव्यम् । ' नं कंचिद्भियोक्तारं दिव्येषु विनियोजयेत् । अभियुक्ताय दातव्यं दिव्यं दिव्यविशार्दै ? रिति दिव्यतत्वे कातीयोक्तेरिति ।

१५ उत्तरपद्यमवतारियतुमुक्तं सर्ववचनसिद्धमर्थमनुवद्ति । अल्पाभीति । 'यथाक्रमं कोशमल्पेऽपी' त्यनेन 'महाभियोगेष्वेतानी' त्यनेन 'शंकास्वेव न संशय' इत्यनेन, 'तुलाग्न्याप' इत्यन्न तुलाद्धि सहपाठेन च, चतुर्षु स इत्युक्तमित्यर्थः । यथासंख्यभाषया व्याससमासाभ्यामुक्तिः । एतत्सूचक एवापिः । नियम इति । जातावेकवचनं । चो व्युत्क्रमे । द्शितश्चेत्यर्थः । तत्राद्या 'महाभियोगेष्वेतानी 'त्यनेन, 'शीर्ष- कस्थे ' इत्यनेन द्वितीयो द्शित इति बोध्यम् । ' शंकास्वेव ' त्येवकारस्तु तं दुलान्वयाशयक २० इत्यपि बोध्यम् । तन्न तयोर्भध्य ॥

# याज्ञवल्की हे ९६ श्लोकः ( उत्तरार्द्धः )

(मूले) अथशन्दः समुचये । पातकपदं महापातकपरमित्याह । ब्रह्मोति । 'शीर्षकादि' त्यस्य ध्याख्या शिरःस्थायिनेति । तथा च राजद्रोहमहापातकयोः शंकायामपि तुलादीनि कार्याणीति तद्पवाद्त्वमिति भावः । अथ समुचेयमेवाह । महाचौर्याभीति । तन्मध्ये । तन्न चेत्यर्थः । क्वचितु १५ आध्याटः । नारद्पितामहावाह । यथाहेति । साजात्यादेकवचनम् । राजाभिरिति । अत्र 'राजिभिरिति' शंकामुपकम्य 'आत्मशुद्धिपराणां च दिव्यमि' त्यनेन निरवष्टंभाभियोगे च दिव्यदान-स्योपसंहारात्तन्मध्यपातिनिर्दिष्टानामित्यस्यापि शंकाविषयत्वं बोध्यम् । दिव्यतत्त्वे कालिकापुराणे- 'परद्तराभिशापे च चौर्यागम्यागमेषु च। महत्पातकशस्ते च स्यादिव्यं नृपसाहसे ॥ विमतिपत्तौ विवादे च अवर्णास्थापने कृते । तत्रैव द्रापयेदिव्यं शिरः पूर्वं महीपतिः ॥ परद्तराभिमर्शे च बहवो यत्र वादिनः ॥ ३० शिरोहीनं भवेदिव्यमात्मनः शुद्धिकारणादिति ' । अगम्याः परदारिभिनाः साधारणवेश्यादाः । शस्तेऽभिशस्ते । साहसं बलादन्यायः । विप्रतिपत्तौ परदारिभिशापादिविषयायाम् । विवादे

१ 'तवपवादार्थमाह' (मि. पृ. ९७ पं. १९) २ क-हतिरमः। ३ क-मोलविकस्य स्वायमतस्वाहः। इतरोऽभीति। ४ क-न कश्चिद्मियोक्तारम् । ५ स-यथासङ्घया भावत्यः।

क्रणादानाद्विषये। अवर्णा निंदा। परोति विशेषणमविवक्षितम्। अभिशापस्यानुवाद्यत्वात्। एव बहव १ इत्याद्यपि। 'परदाराभिमर्शे चेति' चौर्यादीनामप्युपलक्षणम्। तेन वाद्यभावेऽपि सैर्वाभिशापे दिव्यं भवति। अत एव ' शुद्धिकारणादिति ' हेतूक्तिः। 'विनाऽपीति' मौलसामान्योक्तिश्च संगच्छेते। विष्णुरपि '' राजद्रोहे साहसेषु विनाऽपि शीर्षकार्पणामिति ''। नारद्रोऽपि, (अ. १ श्लो. २७०) '' अशिरांसि च दिव्यानि राजकृत्येषु दापयेत्॥ अभियोक्ताभियुक्तानामन्यणं तु यथाक्रममिति ''

'शंकास्वेवेत्येवकारं' सफलयन् विरोधपरिहाराय विशेषमाह । तंडुलाः पुनिरिति । तंडुलास्तित्यर्थः । चौर्ये त्यिति । यद्यप्यत्र चौर्ये इत्येवोक्तं तथापि तंडुलक्षपाल्पिव्यानुरोधेन निमित्तस्याप्यल्पत्वकल्पनमिति भावः । प्राग्वदाह ततिति । चौर्येति पितामहोक्तिः । यद्यप्यत्र 'चौर्यशंकेत्य विशेषणोक्तं तथापि तप्तमाषस्य तीक्ष्णत्वेन महाद्व्यत्वाचैमित्तिकतप्तमाषानुसारेण निमित्तस्य चौर्यशंकाया महत्त्वं युक्तामिति भावः । इदं च तृतैयि व्यक्तीभविष्यति । अन्ये उक्तेभ्यः । १० पुनः तु । वाहनमश्वादि । बीजं धान्यं । देवता च पिता च तेयोश्वरणान् । द्त्तानि सुम्यादीनि । सुकृतानि सदाचरणानि । 'स्पृशेदि' त्यस्य सर्वत्रान्वयः । सह्येषु सहनयोग्येषु । स्वल्पेष्विति यावत् । कोशपानं कोशस्य जलविशेषस्य भक्षणम् ।

ननु तुलादीनां दिव्यत्वमुक्तं मूलादौ । सत्यादीनां तु शपथत्वमुक्तं नारदेन । तद्युक्तम् । तेषामि दिव्यलक्षणाकांतत्वादित्याशंकते । यद्यपीति । दिव्यलक्षणमाह । मानुषेति । अनिर्णे- १५ यस्यं अर्थस्य । 'लोके' त्यनेन शास्त्रोक्तत्वव्यवच्छेदः । उक्तलेक्षणं दिव्यं द्विविधम् । तत्कार्लंनिर्णायकं कालांतरिनिर्णायकं च । तत्रायं तुलादि ' द्वितीयं सत्यादि । तत्रायस्य नामांतरत्वेऽपि द्वितीयस्यं नामांतरं शपथ इति । एवं सित भेदेनोक्तिविशेषधर्मनिमत्तकेत्याशयेन समाधत्ते । तथापीति । 'निर्णयनिमित्ते'त्यादिः षष्ठीतत्पुक्षः । गोवलीवर्दन्यायस्यासत्वादाह । ब्राह्मणोति । 'ब्राह्मणानामंत्र- यस्व' इत्युक्त्येव तत्वस्य तत्राविशिष्टत्वात्तद्मांत्रणोऽपि प्राप्ते पुनः 'परिवाजकमामंत्रयस्वेति ' कथनं २० तत्प्राधान्यप्रतिपादनार्थं यथा तथा, तुलादीनां सत्यादीनां च दिव्यत्वे तुल्येऽपि ततस्तेषां भेदेन कथनं कालांतरिनिर्णयनिमित्तत्वयोतनार्थं इत्यर्थः । यथा तस्य तत्फलांतरानुरोधेनैवमञापीति यावत् । यद्दा 'ब्राह्मणानामंत्रय परिवाजकं चेश्त्युक्तप्रोक्तरीत्या सिद्धे पुनस्तदुक्त्या यथा तस्य तद्न्यपरत्वं तथाऽञापीत्यर्थः ।

ननु यदि कालांतरनिर्णयनिमित्तानि शपथास्ति किश्तेशस्य सद्यो निर्णयनिमित्तेषु तुलादिष्ठ पाठोऽनु- २५ पपनस्तस्य तदंतर्गतत्वाद्तः प्राग्रक्तमनुसृत्येवाह। कोशस्य त्विति । विषत्वेन चेति साम्ये हेतुः । निर्मित्तत्वेनिति । 'धटादिसाम्यादि ' त्यनुषज्यते । ननु एवमपि तंडुलतप्तमाषयोः सद्यो निर्णय-निमित्तत्वेन सूले तुलादिष्ठ पाठः स्मृत्यंतरवद्धचितोऽत आह । तंडुलेति । अल्पेति । अल्पाभियोगे-त्यर्थः । नन्वैकरूप्यमेव सर्वत्रोचितं न तु कचित् किंचित्कृतं वैलक्षण्यं कचित् किंचित्कृतं साम्यमिति वैरूप्यमत आह । संतोष्ट्रव्यमिति । सिद्धस्य गतिश्चितनीयेति भावः । कोशस्याल्पशंकोभय- ३०

विषयत्वेऽपि तन्मात्राविषयकत्वायुकस्तेषु पाठ इति तात्पर्यम् । विशेषं वक्तुं प्रतिजानीते । एतावि चेति । चो वाक्यालंकारे । ऋणादिष्यिति । ऋणादानादिक्तपाष्टाद्शाविवादेष्वित्यर्थः ।

नन्विदमयुक्तं पितामह् विरोधादित्याशंक्य भागुक्तरीत्यैव परिहरति । यत्त्वित्यादि । स्थावरेष्विति । विषयसप्तमी । सामंतेत्यमे स्फुटीभाविष्यति । व्याख्येयमिति । स्थाना-विवादेषु । नात्यंतिकदिव्यनिषेधार्थमिद्म् । दृष्टप्रमाणाभावेऽनिर्णयपसंगात् । किंत्वार्थनो दृष्टप्रमाणसैत मत्यर्थिनि दंडावष्टंभेन दिव्यमवलंबत्यपि दृष्टेनादृष्टेन वा निर्णय इति पागुक्तरीत्या पाप्तविकल-निरासेन दिव्यनिषेधार्थम् । विवादांतरे तु विकल्प एवेति भावः । इद्मेव ध्वनयन् स्थावरपदानर्थक्य-मुक्तयुक्तेस्तुल्यत्वादर्थप्राप्तं परिहर्तुं शंकते । नन्विति । विवेति । स्थावरिवपयान्येष्वपीत्यर्थः । प्रमेति । दिव्यान्यमानुषप्रमाणेत्यर्थः । ऋणादिष्विति विषयसप्तमी । दंडेति । दंडाङ्गीकार-१० निश्चयेनेत्यर्थः । अपिना तस्यापि समुचयः । ननु संभवतीति न्यायिवराधोऽत आह । साक्षिणा-मिति । आज्ञायों ऽतःकरणम् । हेत्वंतरमाह । दिव्यस्य चेति । चों ऽते योज्यः । हेत्वंतरमाह । तह्यक्षणत्वादिति । धर्मस्य वस्तुतत्वविषयकत्वाचेत्यर्थः। अत्र हेती मानमाह । यथाहेति । तत्र दिव्ये । सत्ये तद्रूपे । साक्षिणि व्यवहारस्तु तन्मात्रं तु । देवसाध्ये तदेकसाध्ये । पौरुषेयीं कियां साक्षीरूपां। नेत्युभयान्वयि। अयं च दोषसंभावनामात्रेण साक्ष्यादिनिषधे न वास्तव इति बोध्यम्। एवमन्यत्रोक्त्वा स्थावरेषु कथयन् स्थावरपदसार्थक्यं तत्राह । स्थावरेष्विति । सामं-१५ तादिदृष्टेति । तद्रपट्टेत्यर्भः । नेत्युत्तरान्वयि । विकल्पेति । स्थावरेषु मानुपद्गियपमाणयोर्न विकल्प इति विकल्पनिराकरणार्थः स्थावरशब्द इति भावः । आत्यंतिकति सर्वथेत्याह । निषेषे हेत्रमाह । लिखितेति ॥

#### याज्ञवल्कीये ९७ श्लोकः।

१० किंचेति । दिन्यस्य कालायुच्यते इत्यर्थः । सचैलस्नानमिति बहुवीहिः । 'संचैलं स्नानमिति' पाठांतरम् । भूतपत्ययादिसूचितमाह । पूर्वेद्युरिति । अर्थविंवनिरासायाह । उदित इति । सूर्योद्य इति । बहुवीहिरिति भावः । ब्राह्मणपदार्थमेवाह । सम्यानां चेति । नृपस्योक्तने नार्थाद्वाह । प्राव्हिति । अत्रोपोषित इति सामान्येनोक्तावपि पितामहोक्तं विशेषमाह । त्रिरात्रो-पोषीति । शुच्ये कृतस्नानाय । आद्र्वाससे सचैलस्नानाय । विरात्रोपोपितायाथवा एकरात्रो-२५ षिताय नित्यमवश्यं दिव्यानि देयानि स्युर्त्तियर्थः । नित्यमित्यनेनादाने प्रत्यवायः सूचितः । विरात्रोपोषितायेव ह्यकेति पाठांतरम् । 'एकरात्रोपोषिताय विरात्रापेपिताय वेति । मयू-साद्विधृतपाठस्तु । मुनिशैलीविरुद्धत्वाद्यपेक्ष्यः । ननु 'बलवदिति ' न युक्तं, कार्यतारतम्येऽपि तथापत्तेरत आह । महेति । विशेषमाहोपेति । चेनार्द्ववासस्त्वादिसमुच्चयः । तदाह नारदः ।

" प्राड्विवाकस्ततो विप्रो वेद्वेदांगपारगः । श्रुतवृत्तोपसंपन्नः शांतिवित्तो विमत्सरः '' " सत्यसंघः शुचिर्दक्षः सर्वपाणिहिते रतः । उपोषितश्चार्दवासाः कृतद्तानुधावनः '' " सर्वासां देवतानां च पूजां कृत्वा यथाविधि ' इति ''

शिष्टेति । वस्तुतस्तु सूर्यस्य तद्वारस्योदयो यञ्जेति, सूर्यस्तद्वारः उद्ये अर्थोद्रवेरिति वा अर्थ इति स्मार्तमपीद्मिति बोध्यम् । तत्रापि भानुवारेऽपि । विशेष इत्यत्रान्वयः । ' द्विसस्ये ' त्यस्य

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सर्वत्र संबंधः । स्पष्टार्थे विषान्यदिव्यमात्रे दिवसस्य प्राधान्यसूचनार्थमिदं विशेषणम् । सुरीतिले इति हेतुगर्भे यामविशेषणं । 'तु शितले ' इति पाठांतरम् । 'सुशीतलमिति ' पाठस्त्वयुक्तः । विशेषमाह । अनुकिति। एतेन न्यूनता निरस्ता । कालस्योक्तत्वद्गह । वेलेति । प्रभृतिशब्देन फालादि- ग्रहणम् । पूर्वाह्ने इति । 'अहोरात्रोषिते स्नाते त्वार्द्रवाससि मानवे ' इत्यस्य पूर्वार्द्धम् । पूर्वाह्नादी- नामनेकत्वाद्गह । अहनीति ।

पितामहोक्तमेव विशेषांतरमाह । तथेति । मासादिस्त्यर्थः । मुखेन तदुभयद्वारा । वि-धीति । तत्रेत्यादिः । बहुवीहिः । एवमग्रेऽपि । 'शिशिरहेमंतावि ' त्यार्षम् । 'ऋतुनैक्षत्राणामाः नुपूर्व्येणत्युक्तेः । एवं शरत् ग्रीष्मे इत्यपि बोध्यम् । अत एवाग्रे तथेव प्रयोगद्वयं अंत्ये समाहारद्वंदः । 'वर्षाण्येवेति ' कल्पतरुधृतोऽपपाठः । तस्य स्नीत्वात् । 'प्रकीर्तित ' इति पाठे 'काल ' इत्यस्य विशेष्यत्वं बोध्यम् । 'यो यस्य विहितः कालो विधिर्यस्य च यो यथा । तं प्रवक्ष्यामि तत्वेन १० वादिनश्च बलाबलमिती'तः प्रागुक्तेः । अत एव 'अग्निः शिशिरहेमंतवर्षासु परिकीर्तितः ' इति मयूखधृतपाठोऽप्ययुक्तः । कोशास्त्विति । अस्य स्थाने । 'धटः सर्वर्तुकः प्रोक्तो वाते वाति विवर्जयेदिति ' पाठः कल्पतर्वादौ । इदं नारदीयमिति केचित् ।

एवमन्यज्ञोक्तं स्थावरेषु कथयन् स्थावरपदसार्थक्यं तत्राह । स्थावरेष्विति । इष्टेति । तद्रूपद्षेत्यर्थः । नेत्युत्तरान्वाये । विकल्पेति ।

न्यूनतां निराचष्टे। कोशाति । चतुर्णो दिव्यानां प्रत्येकमुक्तत्वात्तन्मध्यपाठसत्वाादिति भावः । तत्रापाठात् भेदेनाह । तंडुलेति । अत एव पुनस्त्वर्थे । विशेषेति । अग्न्यादेरिवेति भावः । शंकाविषयतया सहपाठाचेत्यपि बोध्यम् । तप्तमाषादेस्तु चैत्रादिरेव काल इति बोध्यम् ।

द्वितीयमाह प्रतीति । न शीते इति । "विचौर्य धर्मनिपुणेर्धर्मशास्त्रविशारदैः । धर्मसर्वर्तुकं पोकं पंडितैर्धटधारणम् ॥ वर्षासु समये वृंह्विहेंमते शिशिरे तथा । ग्रीष्मे सिललमित्युक्तं विषं काले २० तु शीतले ए इति प्राक् नारदोक्तिः । प्रवाते प्रकृष्टे वाते सित । 'न मध्याह्ने 'इति निषेधो जलान्यपरः । अतः प्रागुक्तिपतामह्विरोधो न । विध्येकवाक्यतायै विरोधनिरासाय चाह । न शीते इत्यादि । हेमंतित । मार्गशीर्षान्येत्यादिः । उष्णकालशब्देन च उष्णकालशब्देनापि ग्रीष्मशरदोः ग्रहणमित्यनुषज्यते । एवं प्रावृट्शब्दो ग्रीष्मशरदोरप्युपलक्षणामिति बोध्यम् । अव्यवस्थितमर्यादं विषं प्रावृषि जायते ' इति पितामहः । २५

ननु त्रीष्मादिकालविधेरेवान्यकालनिवृत्तौ सत्यां पुर्निषेधोऽफलोऽत आह । विधानेति । निषेध-विषयकालस्येत्यर्थः । यथाश्रुतेऽनुपपत्तिः स्पष्टैव । ज्योतिःशास्त्रे विशेष उक्तः—

" सिंहस्थे मकरस्थे च जीवे चास्तमिते तथा। मलमासे न कर्तव्या परीक्षा जयकांक्षिणा॥

" रविशुद्धौ गुरौ चैव न शुक्रेऽस्तं गते पुनः। सिंहस्थे च रवौ नैव परीक्षा शस्यते बुधैः॥

" नाष्टम्यां न चतुर्द्श्यां पायश्चित्तपरीक्षणम् । न परीक्षाधिवासश्च शनिभौमदिने भवेत् ॥ ३०

१ व्याः बार्तिकं। २ नारदिये अ० १ स्टो० २६८। ३ क-विचार्ये धर्मम्। ४ 'वर्वासु विनिः घट स्मृतः'। ५ अ. १ स्टो. २५४॥ ६ ख-न परीक्षा विवाहश्च॥

" नो शुक्रास्तेऽष्टमार्के गुरुसहितरवी जन्ममासेऽष्टमेंदा--विष्टी मासे मलाख्ये कुजरानिदिवसे जन्मतारासु चाथ ।
नाडीनक्षत्रहीने गुरुरविरजनीनाथताराविशुद्धी
पातः कार्या परिक्षा दितनुचरमहांशोद्ये शस्तल्ये '' इति ।
वश्यत इति अनुपद्मेव कांलातरे त्वित्यादिना ।

#### याज्ञवल्कीये ९८ श्लोकः।

अधीति वर्णादीत्यर्थः । तथोक्तिस्वारस्यादाह । स्त्रीमात्रमिति मात्रार्थं यावत्तं विश्वद्यति । जातीति । एवमग्रेऽपि । ब्राह्मणीत्वादिर्जातिर्वर्षादिर्वयः तत्कृता एवावस्थाः । बाल्यादयः ।
नेत्रोति । लोकप्रसिद्ध्यानुरोधेनेद्म् । यथा तु भाष्यं तथा आह । पूँणेत्यादिः । महाभियोगेषु सावदं१० भेषु प्राग्नुक्तवाक्येभ्यः सर्वेषां प्राप्तेराह । तुलेवेतिति । तृतीयपादार्धं व्याच्छे । अग्निरिति । पूर्ववद्नियमेन एवासंबंधात्समृत्यंतरानुरोधाचेदमुपलक्षणमित्याह । फाल इति । अवशिष्टार्थमाह । जलमिति । ननु 'जलं वे ' त्यस्य जलमेवेति कथमर्थोऽत आह । वाद्याद्व इति । '' वा स्यादिकल्पो
समयोरेवार्थापि समुचये '' इति कोशात् । एतस्याग्रेऽप्यन्वयो बोध्यः । अत एव ' सप्तेवे 'त्युक्तियो ।
अवशिष्टं व्याच्छे । विषस्योति । उक्तेति । पूर्वाध्यायान्ते इति भावः । नन्वग्रिजलविषाणां
१५ श्रोतानां श्रौतश्चद्रेष्ठ विकल्पोऽस्तु किमित्यश्चौतक्षत्रवेश्यविषयतास्वीकारोऽत आह । ब्राह्मणस्येति।

श्रोतानां श्रोतरादे एव विकल्पोऽस्तु किमित्यश्रोतक्षत्रवैश्यविषयतास्वीकारोऽत आह । ब्राह्मणस्येति । युक्तिमिति । पारिशेष्यादिति । अन्यथा न्यूनतापत्तेः । एकस्य वाशब्दस्य आधिक्यात् स्मृत्यंतरानु-रोधाचीति भावः । एतेन 'विषस्य चेति ' क्राचित्कः पाठः प्रयुक्तः । एतदेवाह । एतदेविति । दापयेत् नृष इति शेषः । नारदोऽप्येवम् । गोरक्षकादिद्विज्ञानामप्येवं बोध्यम् । तेषां तत्समत्वस्योक्तत्वात् ।

विरोधं परिहरित । यस्विति । नारदमाह । सन्नेति । भृशोति । अतिशयिताधिष्रस्ताना २० मित्यर्थः । 'कृशार्तानामिति ' पाउस्तु कल्पतरौ स्थितो न युक्तः पौनरुक्त्यापत्तेः । अपेक्षित इति । 'अपेक्ष्यत ' इति द्वितीयः 'अवेक्ष्यत ' इति न्रितीयः पाउः । इतीति विकल्पोति । इति पक्षमाप्तिद्वियेत्यर्थः ।

नतु कथमनेन तिन्नवृत्तिरत आह । एतिदिति । स्रचादीनामिति पूर्वान्वय्यपि । अन्यैः सहेति विक्षेषैः तत्र । वैपरीत्येऽप्याह एतेषामिति । स्यादीनामित्यर्थः । नतु स्यादीनामन्यैः सह तद्भियोगे पक्ष२५ इयेऽपि तदन्येषामेन दिव्यमित्यस्तु अन्यतरिकल्पः । तथापि तेषां मिथोऽभियोगे कथमत आह ।
परस्परेति । विकल्प इति । ऐच्छिकविकल्प इत्यर्थः । नतु दिव्यकर्तृविकल्पत्वादिव्यविकल्पोऽप्यस्त्विति चेन्न । तस्य न्यायतः प्राप्तत्वेऽपि 'तुला स्नीति ' वाक्येन नियामकेन बाधात् ।
तत्रापीति । दिव्यानां मध्येऽपीत्यर्थः । अनेन ' तुला स्नीति ' मूलवचनेन । नायं नियमः सावष्टंभाभियोगे एव किं त्वन्यत्रापीत्याह । तथिति । अयं समुचये न साहद्ये । तत् शंकाभियोगे सर्वथा
३० सावष्टंभाभियोगसाम्याभावात् । तुलानियमसाम्यमाँत्राशयको वा तथाशब्दः । नियम्यते इत्यस्यानुषंगः ।

नन्वेषं तुलानियमस्य स्त्रीणां सार्वकालिकत्वापत्तिस्तस्याप्यनेन बाधाद्त आह । एतञ्चेति । स्त्रीबालेत्यादिम्लवाक्यं चेत्यर्थः । अर्थवदित्यत्रान्वयः । मासकमस्याविवक्षितत्वाद्गह । मार्गेति ।

१ ख-नथाऽपूर्णे त्यादिः । २ क-शेषः । ३ ड-भावाशयको ।

अयमकारांतः शब्दः । अर्थवत् । सफलं संभावितम् । अन्यथासार्थक्यं निराच्छे । न चीति । न त्वित्यर्थः । तुलेवेतीति । नियामकतयादेरनुषंगः । नारदमाह । स्त्रीणां त्विति । "क्वीबान्नरान् सत्वहीनान् परितश्चार्दितांतरान् । बालवृद्धानुरांस्रीश्च परीक्षेत घटे सदे ॥ '' त्यस्य पूर्वपद्यम् । अतः यतो निषेधस्तयोरत इत्यर्थः । 'अंतस्तत्त्वमिति ' पाठे अन्तरं वस्तुतत्व-मित्यर्थः । आदिनां तंडुलादिः ।

वर्णविषये विशेषमाह । तथेति । उक्तं सर्वमुपसंहरति स्पष्टार्थम् । तस्मादिति । चैत्रादिमासत्रये इत्यर्थः । वहुदिव्येति । पात्रादित्वात् स्नित्वेन । इदं वचनिमिति । 'स्नी बाले '
त्यादिमुलवाक्यमित्यर्थः । एवव्यवच्छेयं दर्शयन् 'प्रयोजनं तु वक्ष्यत ' इति भागकं प्रयोजनं दर्शयति ।
कालांतरे त्वित्यादि । स्तिललमेवेति । सर्वेषां इति भावः । अयं च कालविशेषेऽग्न्यादिनियमः
कुछायनुपेतविषय इति विशेषांतरमाह । येषां त्विति । अपिना साधारणकालसमुचयः । १०
वर्णायाशयेनाह । तुलाद्येवेति । किंच स बलिष्ठविषयक इत्याह । तथेति । दुर्बलानामपीति । अध्यादीत्यादेरनुषंगः । उक्तं प्रयोजनमुपसंहरति । सर्वथाऽपीति । 'विधिप्रतिषेधाहतुकालानितक्रमेणेति ' पाठः ॥ ९८ ॥

#### याज्ञवल्कीये ९९ श्लोकः।

व्यवहितसंगतिमाह । महेति । तत्र महाभियोगेषु । प्राग्वदाह । पणेति । ' आङ् मैर्या- १५ दायामि'त्याह । अर्वागिति । फालमिति । सादृश्यात् अग्निमित्यर्थः । तस्य मूलकृताँऽनेनेवो-कत्वात तथेव । वाच्ये एवमुक्तिस्तु तस्यापि प्रसंगतोऽभिमतत्वं सूचनाय एकेनैवेष्टसिद्धावधिकं स्पष्टार्थ-मिति । सुचियतमाह । नेति । हरोदि । त्यस्यांतर्भावितण्यर्थतया लक्ष्यार्थमाह । न कारयेदिति । न्यूनतानिरासाय आह । मध्यति । अग्रेस्तुं फालत्वेनैव ग्रहणसंभवस्थोकत्वादाह । जलमिति । ' तुलाज्ञ्याप ' इत्यत्र तुलाविषयोर्मध्ये स्थितत्वात्तस्यापि तत्वमित्यर्थः । नेत्यादेरतुषंगः । **यथोक्त- २०** मिति । पितामहेनैवेति भावः । अत्र 'नासहस्रादि'त्यत्र तदेकवाक्यतापत्तेः । अग्रोति । न बहुणमित्यर्थः । अल्पे पीति । तथा चैतेषां गुरुष्वेवेत्यादिनियमात्तस्य असाधारण्याद्दैलक्षण्येना-ग्रहणमिति भावः । तमेव नियमं फलितमाह । **एतानि चत्यारीति ।** तुलाग्निजलविषाणीत्यर्थः । संज्ञायाः प्राग्कत्वादार्हे । पणिति । सहस्रादिति । अभिव्याप्ती । आङ्कींगे पंचमी । तमभिन्याप्येत्यर्थः । तत्र अग्रिमनिरासाय ' अर्वागिति ' रोषन्याख्याने उक्तः । तथा च न्युत्क्रमः २५ सचितः । तदाह । सहस्राद्ध्वमेवोति । नार्वागिति । तदुर्ध्वतो नार्वागित्यर्थः । अत एव सहस्रेरपि न इत्यारायेनाह । **नन्विति । अर्वागपीति ।** अर्वित एव अर्वागपीत्यर्थः । आयसं फालम् तत्र विरोधे सति । यत् इट्योति । सुवर्णेत्यर्थः । तथा सति फलितम् विशेषमाह । पतचीति । 'नासहस्रादिति ' मौलं 'सहस्रे त्विति ' पैतामहं चेत्यर्थः । स्तेयेति । स्तेयसाहसो-भयविषयमित्यर्थः। ननु कल्पतरुणा-' नासहस्रादिति वाक्यं ' पणसहस्रादुर्ध्वं नैवापह्नवे फालादिर्क्निये- ३० त्वेवमपह्नविषयतया व्याख्यातमिति तथैव कुतो नोक्तमिति चेन । उपस्थितपूर्वोक्तसंगतिसंभवेऽनुप-

१ क-ख-अन्यतरिविकल्पः। २ पृ. ५९ पं. २२॥ ३ ख-तत्र महाभियोगेषु पंच ड-पंचम्युपपत्तये आह । अर्वागिति । ४ ड-वेवोक्तत्वात् । ५ पूर्णेति' पणसहस्रमारम्येवैत्यर्थः। तदाह नार्वागिति । विरोधमाह । निवति । आदिना तदादि समुचयः। अम्प्यादीनि । ६ ' पंचम्यपाङ परिभिः' व्या. स्. (२।३।१०)। ७ उद्वामेवापन्हवे ८ ख-फाल्यादिकियेत्यर्थः।

स्थितपरतया व्याख्यानस्थानौचित्यात् । तथा च स विषयो मूळे नोक्त एव तदेतत् ध्वनयनाह । अपह्नवे त्विति । प्रमाणम् । अपन्हुतद्वव्यानुसारेण दिव्यानि । स्तेयोति । अञ बाह्मणः विसष्ठन्यायेन स्तेयान्यसाहसपरं साहसपदम् । स्वस्पेऽप्यर्थ इति । आपना महतः समुच्चयः । तत्मकारमेवाह । सर्वेति । युक्तं तत्संबद्धं नासंबद्धं तत्तुल्यमिति यावत् । ज्ञात्वा संख्यामिति । पूर्वान्वयि । संख्या प्रमाणम् । सुवर्णानामित्यस्य मध्यमणिन्यायेनान्वयः । चत्यारिंशतीति । तत्संख्याकेषु सुवर्णेषु अपन्हुतेष्वत्यर्थः । विशोति । विशातिः प्रमाणमस्येति विशम् । तच दश् च तेषां विनाशे इत्यर्थः । 'विशहशेति 'पाठातरम् । ' विशितिदशेति ' वितीय पाठः । पंचाधिकस्यिति पाठः । पंचाधिकस्याति । पाठः । पंचाधिकस्यिति पाठः । पंचाधिकस्यिति पाठः । पंचाधिकस्याति । पाठः । पंचाधिकस्याति । पाठः । पंचाधिकस्यिति पाठः । पंचाधिकस्याति । पाठः । पाठः । पंचाधिकस्याति । पाठः । पंचाधिकस्याति । पाठः ।

" शते विषं तु पादोंने हुतसुक् तत्र दृश्यते ॥ आपस्त्रिभागहीने तु शस्तार्द्धे तु तुला स्मृता । " " कोशपानं तद्धें वा द्शपंचकसप्तसु । तद्धें तंडुला द्यास्तद्धें तप्तमाषकः " इति । इति सुवर्णस्येति शेषः । वृद्धकात्यायनः—

१५ "ज्ञात्वा संख्यां सुवर्णस्य शतनाशे विषं स्मृतम् । अशीतेस्तु विनाशे तु द्याचिव हुताशनम् । ''षष्ठ्या नाशे जलं ज्ञेयं स्याचत्वारिंशतो धटम् । त्रिंशह्शविनाशे तु कोशपानं वृहस्पतिः। "पंचार्षिकस्य वा नाशे तद्र्धस्य च तंडुलाः ''॥ पंचार्षिकस्य पंचार्धं सार्धद्वयं इति । महत्त्वसंपत्तये आह । ज्ञात्वेति । तत्पद्स्वारस्यात् । नन्यत्र नाशपदोक्त्या कथमस्यापह्नव- विषयत्वमित्यत आह । नाशेति । मिथोऽनयोर्विरोधं परिहरति । नासहस्रादिति ।

२० अन्योऽपि विशेषः कात्यायनेनोक्तः । 'देशकालविरोधे तु यथायुक्तं पकल्पयेत् । अन्येन हारयेद्दिव्यं विधिरेष विपर्यय ' इति ॥ हा हारयेत् कारयेत् । विपर्यये इति । दिव्यकारिणोऽभियुक्तः स्यासामर्थ्ये । 'कालदिव्यविरोधे तु यथायुक्तं विरोधयेत् । अन्येन हारयेद्दिव्यं विधिरेप विवर्जयेदिति ' कल्पतरौ पाठः । अत एव महापातक्यादीनामन्याद्वारा दिव्यमाह । स एव—

" मातापितृद्धिजगृरुवालस्त्रीराजघातिनाम् । महापातकयुक्तानां नास्तिकानां विशेषतः ॥

१५ " लिंगिनां प्रसवानां तु मात्रयोगिकयाविदाम् । वर्णसंकरजातीनां पापाभ्यासपवर्तिनाम् ॥

" ऐतेष्वेवाभियोगेषु निंद्येष्वेव प्रयत्नतः । दिव्यं प्रकल्पयेत्रेव राजा धर्मपरायणः ॥

" ऐतेरपि नियुक्तानां साधूनां दिव्यमर्हति । नेच्छंति साधवो यत्र तत्र शोध्यः स्वकैर्नरः ॥ इति ।"

तथा च दिव्यकरिणोऽशक्तौ प्रतिनिधिः 'विंपर्यये शहर्यतेनोक्तः । अन्येन् हारयेत् ।

प्रतिनिधिना कारयेत् । मातापित्रित्यादिना पूर्वे पित्रादिघातादिमहापापं न कृतिमिति निश्चये कालां
३० तरे चार्थातरसंदेहेऽपि प्रतिनिधिद्दारेव द्वित्यमुक्तम् । 'वृद्धस्त्रीवालोतिपाठांतरम् । 'प्रमदानां श्विति । तथा नेच्छंतीति अञ्च न 'संतीति । तथा 'तत्र शोध्याः स्वकैर्नर शहत्यञ्च स्वकेर्नरेरिति ।

स्यकैरोंतैः ।

१ इ-तथ्दम् । २ क-दत्तेष्ट्रेवामियोगेषु । ३ ख-नित्येष्वेव । ४ ख-एतै रेव । ५ क-आतै: ।

'नृपार्थेष्वि 'त्यस्य नृपोऽर्थो विषयो येषां द्रोहाणां तेष्वित्यर्थः । तदाह । च्रपद्रोहेष्चिति । अभिशापे चेत्यस्य वास्तवे तत्रेत्यर्थः । तदाह । महेति । सदेति व्याच्छे । द्रव्येति । प्रक्रांत-लादाह । एतानीति । श्रुचित्वं तत्र निमित्तमित्याह । उपेति । आदिना स्नानादि-पिर्मिहः । विशेषमाह । तथेति । सभा च राजगृहद्वारं च देवायतनं च चत्वरश्चेति समाहारहंदः । व्यस्तपाठे तत्र दंददयम् । कुलं गृहम् । चत्वरश्चतृष्पथः । साकांक्षात्वात्मकृतमाह । घट इति । चस्त्वर्थे प उक्तदेशानामिति भावः । इंद्रस्थानमिंद्रमतिमा यत्र तत्रेत्यर्थ इति केचित् । ' इंद्रष्टाजपूथ-स्थानमिति ' कल्पतरः । 'इंद्रध्वजपूथनित्यन्येः' । इंद्रस्य परेश्वरस्य स्थानम् । तत्रेति स्वयं । ' अभीत्यस्येव ' व्याख्या महेति । चस्त्वर्थे । तथापाठ एव वा । 'दिव्यमि ' त्यस्यानुषंगः । विषयसप्तमी च । देशव्यवस्थामुक्त्वा दिव्यव्यवस्थामाह । अस्पृश्चोति । अस्पृश्याश्चंडालाद्यः । अधमाः शूद्राद्यः। न तु न हि । तत्रसिद्धानि घटसपादिनि । नारदः। (अ१-२५५।३१३-३१५) १०

" नार्तानां तोयशुद्धिः स्याच विषं पित्तरोगिणाम् । श्विञ्यंधकुनसादीनां नामिकर्म विधीयते ॥ "न मज्जनीयाः स्त्रीबाला धर्मशास्त्रविचक्षणैः । रोगिणो ये च वृद्धाः स्युः पुमांसो ये च दुर्बलाः॥ "निस्त्ताहान्व्याधिक्विष्टांस्तांस्तोये न निमज्जयेत् । सद्यो प्रियंते मज्जंतः स्वल्पपाणा हि ते स्मृताः ॥ "साहसेऽप्यागतानेतान्नेव तोये निमज्जयेत् । न चापि हारयेद्प्तिं न विषेण विशोधयेत् ॥ " विष्णुः

"नश्लेष्मिकव्याधितानां भीरूणां श्वासकासिनाम् । न लोहशिल्पिनामग्निः सिललं नांबुसेविनाम् ॥'' "मंत्रयोगविदां चैव विषं द्यात्तु न कचित् । तंबुलैनाभियुक्षीत व्रतिनं मुखरोगिणम् ॥'' व्रती पयोवतादिमान् । पितामहः

" मद्यपस्त्रीव्यसानिनां कितवानां तथैव च । कोशः प्राज्ञैर्न दातव्यो ये च नास्तिकवृत्तयः ॥"
नारदः ।( १।३३२)

'' महापराधे निर्धर्मे कृतन्ने क्लीबकुत्सिते। नास्तिके दृष्टदोषे च कोशदानं विवर्जयेत्॥" नारदृबृहस्पतिकात्यायनाः——

" यथोक्तविधिना नेयं दिव्यं दिव्यविशारदैः । अयथोक्तं प्रदत्तं च न दत्तं साध्यसाधने ॥ " अदेशकालदत्तानि बहिर्वादिङ्गतानि च । व्यभिचारं सदार्थेषु कुर्वतीह न संशयः ॥ " वादिनमभियोक्ता बहिर्वादी ॥ **मातृकेति ।** परिभाषेत्यर्थः ॥ ९९ ॥ ॥ इति दिव्योपोद्धातः ॥ २५

संगतिमाह । **एवमिति । मातृकां** तत्परिभाषाम् । प्रयोगमिति । तावत्सर्वसाधारणामित्यर्थः । यद्दा ' जातावेकवचनं ' । ययोगानित्यर्थः ।

# याज्ञवल्कीये १००।१०१।१०२ श्लोकाः ।

'क्रमेणे'त्यादिः । ईष्टशोऽवतारितः पाड्विवाककृत्योत्तरम् । इति अनेन मंत्रेण । तुलामभिमंत्रयेदित्यन्वय इत्याह । तुलाया इत्यादिना । तृतीयांतस्य व्यवहितान्वयं ३० इत्याह । तैः प्रतीर्ति । अंतर्भावितण्यर्थत्वेनाह । समीकृत इति । इद्मुक्तरीत्योपलक्षणमिन्य अभियोक्ता वेति । तात्पर्यार्थमाह । दिव्योति । रेखामिति । ' लेखामिति ' पाठांत्र किंचिचिद्धाविरोषमित्यर्थः । तमेवाह । येनेति । पांद्विति । अपकलेखेनेत्यर्थः । ' खडीति ' पाप्रिद्धः । 'अभी'त्यस्य व्याख्या पार्थेति । इतीत्यस्यार्थमाह । अनेन मंत्रेणोति । त्वाक्ष्य व्याख्या तस्मादिति । तद्र्यमाह । हे इत्यादि । धामार्थः । स्थानमिति । तद्विष्ण व्याख्या तस्मादिति । सत्यमित्यस्यार्थः संदिग्धेति । भाषणासंभवादाह । दर्शयोति । कृतत्वादाह । अस्मादिति । अस्मीत्युक्तरध्याहारेण तस्य तद्र्याव्ययत्वेन वाऽऽह । अहमिति । पाग्वदाह । अस्त्येति । एवमग्रेऽपि । निपातानामनेकार्थत्वात् चेद्र्यमाह । अथेति । भाममी ' त्युक्तिस्वारस्यादस्यापवृत्तेराह । पाडिति । धर्माधिकारिण इत्यर्थः । इदमनुपद्मेव स्कृतै । भविष्यति । न्यूनतां निराचष्टे । जयेति । तयोः स्वक्ते इत्यर्थः । जातावेकवचनं । स्थिगपूर्वगम् नादिकम् । एतद्र्थमेवाह । घटेत्यादिना । पुनस्त्वर्थे । आरोहणादीति आदिनाऽवतारणम् । नारदादीति आदिना व्यासादिपरिग्रहः ।

तत्रादौ पितामहमाह । छित्वा त्वित्यादिना । यज्ञियं खदिरादिकम् । मंत्रेति । 'ओषघे त्रायस्वैनमि' त्यादि मंत्रपूर्वकं इत्यर्थः । छेद्निकयाविशेषणमिदं । 'यूपवदि'त्यस्य तुला कार्ये' १५ त्यत्रान्वयः । 'यूपवदि' त्यतिदेशसिद्धम् 'मंत्रव'दित्युक्तमेवानुवद्ति । मंत्र इति । वानस्पत्यच्छे-दने इति समस्तम् । तच्छेद्नकाले सोमदेवताकः । '' सोमो धेनुं सोमो अर्वतिम " त्यादिमंत्रो जप्य एवेत्यर्थः । व्यस्तः पाठे वाचस्पत्यो मंत्रो '' वनस्पते शतवल्शो विरोहेति " । अनयोर्जपमं-त्रत्वेनादृष्टार्थत्वात्समुचयः । चो भिन्नकमः । छेदने तुलाकाष्टच्छेदने । स स च जप्य एवेत्यर्थ इ-त्यन्ये । तुलास्वरूपमाह । चतुरस्रोति । त्रिषु पार्श्वद्वये मध्ये च । तत्फलमाह । अर्थवदिति । २० क्रियाविशेषणमेतैत् । यथा तुलायाः सामर्थ्यं भवेत्तथा देयानीत्यर्थः । ' यत्नत ' इति पाठांतरम् । तत्यमाणमाइ । चतुर्हस्तिति । भूमेरुपरि ऊर्ध्वं । तत्समौ तुलासमो । चतुर्हस्तो पादी कार्यावित्यर्थः । 'पाद् कार्यों तथा विधाविति' पाठांतरम् । तयोः पादयोरन्तरं व्यवधानं तु हस्ती हस्तद्वयपरिभितं भवेदित्यर्थः । च्वेरन्यत्रानियमानानुपपात्तः । पक्षांतरमाह । अध्यद्धमेव वेति । सार्द्धहस्तं वेत्यर्थः। ⁶ उपरी'त्येतत्सूचितमेवाह । **हस्तद्वयिमति ।** उभयोरपि पाद्योईस्तद्वयं हस्तचतुष्टयाद्वाशिष्टं पवेशनीयमित्यर्थः । तोरणे चेति । तथेत्यनेन १५ भूभ्यंतः हस्तद्वयांतरालतोका । भूमेरुपरि समता समागतैव । तद्न्तिनिखातस्तु यथासंभवः । अत एव विशेषमाह । भटादिति । तथ तुलायाः पार्श्वद्वये हस्तद्वयांतरालं दक्षिणोचरयोः स्तंभस्य इयं निखाय तयोहपरि उत्तरायं काष्ठं देयम् । तदेतत्तोरणामिति बोध्यम् । तस्य फलं कथयन् तज्ञावश्यं गुलोचामित्याह । अवलंबाचिति । तोरणाभ्यां संबद्धौ । तद्धः पद्शे लंबमानौ अधोमुस्रौ ३० मृत्मयौ तद्गोलकरूपा सूत्रसंबद्धौ धटमस्तकत्तुंबिना तुलापांतद्दयोपरिभागस्प्रशौ तत्संज्ञको कार्यावित्यर्थः । ' धटमस्तकचुंबिताविति ' पाठांतरे बहुमीहिः । सम्यग्ज्ञानार्थमेवावलंबः इयकरणम् । एतत्फलमनुपद्मेवामे स्फुटीभविष्याति । स विज्ञेयः समी घटः १ इति । तस्यस तवाधारदेशं चाह । प्रागिति । कस्परेत् स्थापयेत् । आस्तरणमिद्यः। पश्चिमे , शिक्ये । अन्तर

स्मिन् पूर्वे । शुभामिति । इष्टकाभस्मपाषाणकपालास्थिदुर्गेधादिविवर्जितामित्यर्थः । पिटकं शिक्यम् । तस्मिन् उपविष्टे सति । चयनीयत्वेनाभ्यहितत्वात्पूर्वनिपातः । समुचयफलाभावात् तुल्या-र्थत्वाचाह । अत्र चेति । " मृत्तिकेत्येव सत्य " मिति श्रुतेः । उक्तक्रमादाह । मृत्तीति ।

परीक्षापकारमाह । परीति । पश्चादिति । ' तस्मादिति ' पाठांतरम् । पताकेति । पताकासहितध्वजञ्जोभितमित्यर्थः । अल्पत्वमहत्त्वकृतोऽनयोर्भेदः । एवमग्रेऽपि । 'परित ' इति भावः । मंत्रवित् । 'धर्मविदिति ' पाठांतरक् । तृतीयाद्वयमुपलक्षणे । अनुलेपनं स्नानचूर्णम् । 'अनेन विधिने ? त्युक्तविधिमेवाह । पहोहीति । अनेन पर्धानदेवतास्वरूपमपि कथितम् । अस्मिन् तुलाख्ये । वसवश्वादित्याश्व मरुतश्व गणाश्वेति इंदः । अंगानि लोकपालादीनि । तत्मकारमेषाह । ्रिटार्ट्या द्विन। । एतेषां ध्ययरूपाण्याहेंद्र इत्यादि । भागे इति । पार्श्वे 'वसूनावाहयेदिति ' पाठांतरम् । तेषां संख्यामाह । धर इति । देवेश इंदः । तथाऽर्चनं 'तथाऽयनमिति' पाठांतरम् । १० प्राग्वदाह । **धातीत ।** ' वरुणोंश ' इति पाठः । अन्योऽपपाठः । अजघेत्यादि । कमादुभय-विज्ञेषणम् । गणपदार्थानाह । अग्नेरित्यादिः । अयनं स्थानम् । तानाह । वीरेति । अत्र महा-यशा इति । गिरिशविशेषणम् । ' विशांपतिरिति ' कपालिविशेषणम् । 'द्दौ विशौ वैश्यमनुजाविति ' कोशः । **भगवानिति** भवविशेषणम् । 'भग ' इति पाठांतरम् । क्रमस्य विवक्षितत्वात्येतेशस्य पूर्वनिपातः । मातृस्थानमिति समस्तपाठः । ता आह । ब्राह्मीत्यादि । गणसंयुतेति विंश- १५ षणं चामुंडायाः। तथा च सप्त बोध्याः। गणेश एक एव । **मरुतां** वायूनां। तानाह गगन इति । ' पाणेशजीवावि ' त्यार्षम् । च समुचेयमाह । भटस्योत्तरेति । पूजाक्रममाह । भूषेति -अर्धप्रभुत्यलंकारांतं क्रमेण धर्माय प्रधानदेवतायै दत्त्वा पश्चादिंद्रादीनां तथैव कुर्यादित्यर्थः । निवेद्यो नैवेद्य: । सर्वथोक्तकमेणेति भावः ।

अस्यार्थमाह । अत्र चेति । तुलाख्यदिन्यविषये इत्यर्थः । 'पूजाक्रम ' इत्यत्रान्वयः । २० कांडानुसमयस्याभावादाह । पदार्थोति । तदीत्येत्यर्थः । गंधादौ विशेषमाह । गंधिति । शिष्टान् । शेषम्तानंगानिति यावत् । अन्येवां । गंधपुष्पैः । यथोक्तमिति । नारदेनेति भावः । ततः तस्याः पताकायलंकारविधानानंतरम् । श्रुतं वेदशास्त्रे । वृत्तमाचरणम् । सत्य-संधः सत्यसंकल्यः । शुद्धवासाः । आर्द्रवासा इति पाठांतरम् । अन्यद्प्याह । तथिति । यथा-हिति । पितामह इति शेषः । पतीति । 'चतुर्दिश्च 'इति पाठांतरम् । तथिति । यथा-क्षं कार्याकांक्षायाम् तत्र द्रव्याण्याह । आज्येनिते । उभयत्र इतरिरासाय सामान्यनपुंसकत्वेन समिद्दिशेषणं तथैव सार्थक्यं ध्वनयनाह । होमोति । एतत्रितयस्पहोमसाधनैरित्यर्थः फलितः । उत्तरार्थेऽन्वयः । अस्य मंत्रमाह । सावित्र्योति । अथशब्द आनन्तर्ये । प्रवेन तद्भावव्यवच्छेदः । 'प्रणवेन 'इत्यस्य मध्यमणिन्यायेनान्वयः । आदियुक्ततं तृतीयार्थः । तदाह । प्रणवादीति । अथार्थः पुनिति । पश्चादित्यर्थः । स्वाहेति । 'वर्षेट्कार 'इत्यनेन सामान्यापेक्षज्ञापकेनायं ३० साधुः प्रयोगः । पसिद्धत्वाद्धविःशब्दार्थमाह । चक्तिति । 'चर्वाज्यसमिध' इत्यचितम् । अत्राज्यहिः समिधां संप्रतिपन्नदेवताकत्वात् मिलितानामेव होमे सान्नायय्योरिवेति कश्चित्तम् । आज्ये सुर्वेन् णावव्यतीति सुवस्य चरौ सकृदुपस्तृणाति मध्यात् पूर्वार्थने दिईविषोऽवद्यति अभिवारयति हर्विस्वतं णावव्यतीति सुवस्य चरौ सकृदुपस्तृणाति मध्यात् पूर्वार्थने दिईविषोऽवद्यति अभिवारयति हर्विस्वतं

१ पू. ६% पं ११ "तत आवाहयेदेवान् ॥ २ उचिस्तरां वा वनदकारः । व्याः सः ( १।२।३५ )

चैषोऽनदानधर्म **इति आश्वलायना**दिसूत्रात् सुनः । समित्सु असामर्थ्याद्धस्तस्यैन तत्वात् । भिन्नसाथनकत्वात्तंत्रतानुपपत्तेः । साचाय्यहोमयोस्तु एव साधनत्वात्तंत्रता युक्ता । तदेतद्वनयन्नाह । प्रत्येकमिति ।

अन्यदाह । एविमिति । शोध्येति । दिव्यकारिणः शिरिस वध्नीयादित्यर्थः । यथाहेति । पितामह इति शेषः । यं चार्थिमिति । यद्र्थकर्मकाभियोगविषयीकृतो दिव्यकारी स्यात् इत्यर्थः । पितामहोक्तमेव मंत्रमाह । मंत्रख्रोति । आदित्येति । अभ्यहितत्वात् पूर्वनिपातः । यथोक्तमिति । पितामहोक्तिते । भावः । 'आदित्ये ' त्यित्रमितं पद्यम् । चेनाग्रिमसर्वसमुच्चयः । पितामहमेवाह । धटिमिति । दिशिताः तेनैव । धृतः श्चे देशेऽवस्थापितस्त्वं यस्मात् कुटिलं नरं भावयसे पिताययिक्ति । तेनेत्यायन्वयः । तमेवाह । पुनिरिति । विशेषमाह । आरोपितं चिति । श्वोतिःशास्त्रविद्ो ये बाह्मणास्तेषु श्रेष्ठ इत्यर्थः । पद्त्रयमित्यन्ये । परीक्षाकालेति । कालस्य परीक्षा परीक्षाकालः । राजदेतादिः । तत्र कोविदैरित्यर्थः । 'परीक्ष्या कालेति' पाठांतरम् । तेः परीक्ष्याः सत्य एव । विशेषमा नान्यथेत्पर्थः । पंच दशेति । तथा च विनाडीशब्देन पलमुच्यते । अहः खाग्निभिदीति। 'अहोरात्रं विशेषादिति' पाठांतरम् ।

१५ तस्मिन्नित । पल्पंचकरूपे इत्यर्थः । अलुड्धा इति छेदः । नृपे इति । विषयसप्तमी । नृपं इति पाठांतरम् । चोक्तमिति । नारदेनेति शेषः । स शुद्ध इति । विश्वयस्तमी । वृपं इति पाठांतरम् । अत्र वृद्धिरूध्वे गतिः । हानिरधोगतिः । अतो न पूर्वविरोधः । अत एवान्यविरोधं परिहराति । यन्तिति । न दिव्येनेति । तथानियमाभावात् । महत्त्वमिति । इदं च शिरःस्थापितपत्रेणेवावगतमिति भावः । एवं चैतत्परं तत् न तत्परमिति न विरोध इति भावः । विशेषमाह । यदा चेति । चस्वर्थे । १० अनुपेति बहुनीहिः । छेदादिविशेषणम् । तमेवाह । कक्ष्येति । अस्पष्टत्वादिना भेदानाह । कक्ष्यमिति । धटस्य कर्कटाविति समासः। अन्यथा दोषापत्तेरित्याह । कर्कटाविति । तुलांतयोः संबद्धौ । तत्पदवाच्यत्वे बीजमाह कर्कटेति ।

वैलक्षण्यादाह । यदा त्विति । तमेवाह । शिक्यादीति । अत एव 'शक्यिमिति ' व्यास्थातम् । व्यक्त्यभिप्रायं बहुक्वनम् । अन्यथाऽनयोमिथो विरोधः स्पष्ट एवेति भावः । व्यासोऽपि १५ "कक्ष्यच्छेदे तुलाभंगे धटकर्कटयोस्तथा । रज्जुच्छेदेऽक्षभंगे च द्याच्छुद्धं पुनर्नृप '' इति । कात्या- यनोऽपि—" शिक्यच्छेदे तुलाभंगे तथा वाऽपि गुणस्य वा । शुद्धेश्व संशयेनैव परीक्षेत पुनर्नरम् । अनेन कारणांतरमप्युक्तम् । आवृत्तिस्तोलनमात्रस्य न सांगप्रयोगस्योति प्राच्याः । ' एवं तु वैगुण्यपापापिरहारात्सांगः पयोग आवर्तनीय' इति मदनः । अत्रायमेव मूलसंमतम् । शेषं पितामहो-क्येव पूर्यितुं चूर्णिकामाह । तत्रश्चेति । दिव्यकारीत्यर्थः । उपसंहरित सः। एविमिति । ब्रह्मभूयाय १० ब्रह्मत्वाय । इच्छाति राजा । पितामहमाह । विशालामिति । विस्तृतामित्यर्थः । उच्छ्रितां उन्नताम् । यत्रस्थः धटः । तत्रेव शालायामेव । एतान लोकपालादीनः । कपाटंबीजेति । शाक्रपाथिवादिः । कपाटंत्यत्र अर्शक्षायच् । ततः कर्मधारयो वा । परमतात्पर्यमाह । अञ्चल्या- मिति । वीद्यादीनाम् वीद्यादीनीति पाठांतरम् ॥ इति धटविधिः ॥ १००॥ १०१॥ १०२॥ मिति । वीद्यादीनाम् वीद्यादीनीति पाठांतरम् ॥ इति धटविधिः ॥ १००॥ १०१॥ १०२॥

१ 'राजदन्तादिषु परम् ' [ब्याः सु. २।२।३१ ] ३ क्र-एनान् । ४ कपाटयुक्तविजम् । यथा शाकप्रियः पार्थवः शाकपार्थवः ।

## याः वल्काये १०३ श्लोकः।

संगितमाह । इदानीं क्रमेति । उद्देशक्रमेत्यर्थः । अत्र प्रागुक्तं सर्वं सामान्यमंपिक्षतिमित्याह । विदेशति । पत्रारोपणांते च विधो सतीति पाठः । विधिः प्रकारः । पत्रारोपणांतविष्यंते सत्यय-मिति पाठांतरम् । 'लक्षे'त्यस्य व्याख्या तिलकेति । 'लक्षदर्शनांकयो' रिति धात्वर्धानुसारादाह । अंकिति । 'अंकियित्वेति ' तत्र पाठातरम् । 'हंसपदानीति ' पाठः । तदाकाराणि चिह्नानीत्यर्थः । अत्त इत्यस्य व्याख्याऽनंतरिमिति । पूर्वं द्विवचनस्यैव सत्वादाह । हस्तयोरिति । तत्र विशेषमाह । अंजलिति । नारदमेवाह । पत्रेरिति । तावदिति कियाविशेषणामित्याह । तावदिति । तात्पर्यार्थनाह । सत्तेति । तावतां सूत्राणां समाहारः तावत्सूत्रं, पात्रादिः । तेन तावत्सूत्रेण सप्तसूत्र्या सक्कदेष्टयेदित्यर्थः इति मदनः । वेष्टनसंख्यामुक्त्वा तथैव च स्पष्टार्थं सूत्रस्य संख्यां वर्णं चाह । स्त्राणि चेति । अनेन वेष्टननिष्ठसंख्यारोपेण सप्त सूत्राणि चेत्यर्थः । विशेषमाह । तथिति । नारद- १० मेवाह । सतेति । अथ समुच्ये । 'सप्ते'त्यस्योभयत्रान्वयः । अक्षतानां स्पष्टं द्वविष्यमुक्तं अनेन । अत एव दिधे द्य्यक्षतान् । तथा च सर्वेकवाक्यता । 'आवेष्टित'मित्यत्र भावे कः । 'आवेष्टनमिति' पाठांतरम् । सुमन इति ' जातौ एकवचनिमि ' त्याह । पुष्पाणीति । पितामहिवरीधं मूलस्य निराचष्टे । यद्पीति । अतुल्यार्थत्वेन विकल्पो नेति सूचयन्नाह । अश्वत्थिति । पितामहिरोधं मूलस्य निराचष्टं । तत्रश्वेत । तितामहः श्रेति । पितामहकर्वृके । तत्रशंसावचनेनेत्यर्थः । तद्वेवाह । पिप्पलादिति ।

#### याज्ञवल्कीये १०४ श्लोकः।

कर्तुरिति । प्राड्विवाकस्य तु अग्रे वक्तव्यमिति भावः । ममेत्युक्तिरत्र बीजम् । सर्वपदोक्तेराह । जरेत्यादि । 'चरसी 'त्यस्य लक्ष्यार्थमाह । उपयुक्तेति । भुकादीत्यर्थः । साभिप्रायं विशेषणद्दयमित्याह । **पावकेत्यादि । साक्षिवत्** साक्षिणो यथा कथयांति । अनेनास्यांग्रे एवान्वयो न पूर्वजापीति सूचितम् । यथाश्रुते पंचम्याद्यनुपपत्तेराह । पुणयेति । २० तथोक्तावपि प्रकृते तद्धीसंभवादाह । द्रशयेत्यर्थ इति । ममोति तु शेषत्वविवक्षायां षष्ठी । विशेषमाह । अयःपिंडोति । तापैः क्रियारूपैः । अनेन प्रागुक्तेन । तापत्रयफलमाह । **लोहेति । तृतीय इति** करणस्याधिकरणत्विविक्षया सप्तमी । सत्यपुरस्कृतत्वमविवक्षितम्, किंतु तद्धटितत्वमात्रं विवक्षितमित्याह । सत्यशब्दयुक्तमिति । मंत्रो विशेष्य इत्याह । त्विमिति । अत्र सुरंजितत्वं अतिशयिततापकृतमेव । अत एव तस्य सस्फुलिं- २५ गत्वम् । ' सुरक्षितमिति ' पाठातरम् । '' जात्यैव होहकारो यः कुशलश्चामिकर्मणि । दृष्टपयोगश्चा-न्यत्र तेनायोऽमौ प्रतापयेदिति ११ । ' अमिवर्णिमि १ त्यतःपूर्वपयम् । विशेषांतरमाह । प्राडिति । मंडलेति । यावति भूपदेशे मंडलेऽग्निः तत इत्यर्थः । **नार**द्मेवाह । **शांत्यर्थमिति** । तापत्रयमप्यत्रेवाम्रावित्याह । हुत्वा चिति । विधिमिति । पूर्वोक्तप्रकारं कृत्वेत्यर्थः । सित सप्तमी उभयत्र । विशेषणेन मुख्याग्निनिरासः । पाड्विवाक एवात्र कर्ता अयःपिण्डस्थमिति त्वीवलात् ३० नारदमेवाह । त्वमन्ने वेदा इत्यादि । त्वं मुखं ब्रह्मोति । त्विय होमेन देववत्तेषामापि त्रप्तेरिति भावः। पापेषु पुरुषेषु चरिस वर्तसे। साक्षिवत् अंतर्यामिवत्। देवेति। तानीति शेषः। तत्थोंने तत्याठो वा।

१ पृ. ६५ पं १६ हुत्वापदे त्वाप्रत्ययवलादित्यर्थः २ देवस्थाने । ३ 'तानि 'अतः '' त्वमेव तानि जानीषे " इति पाठः । इति स्वचितम् ।

## याज्ञवल्कीये १०५ श्लोकः।

मूलकृद्न्यद्प्याहेत्याह । अपि चेति । समामित्यस्य व्याख्या अस्त्ररहितमिति । कोणरिहतमित्यर्थः । अर्थीतरमाह । सर्यत्र समामिति । तद्र्थद्वयमाह । वृत्तं श्रुक्षणं चेति । विशेषमाह ।
तथेति । पैतामहे 'समिन'त्यस्य द्विकित्रस्त्रहीनमित्यस्याचोकिरिति प्रागुक्तार्थळाभः । अत्र 'अग्निहीनमिति ' पाउं धृत्वाऽशिकोपरिहतिमिति व्याख्यातवान् कल्पतसः । अश्ववैर्णवन्त्वस्य प्रकारांतरेणापि
संभवादाह । अग्निसहशामिति । दाहकतया तत्तुल्यमित्यर्थः । न्यासस्यासंभवादाह । निक्षिपेदिति ।
पाडिवाक एवात्र कर्तत्याह । प्राडिति ।

## याज्ञवल्कीये १०६ श्लोकः।

तत इति। तत्र तिभक्षेपणानंतरामित्यर्थः । कर्तेति शेषः । एवाधिक्यं पारिहरिते । एवोति । संगितिमाह । सत्तेवित । किम् । कियत् । तस्योभयमित्योगिकत्वादाह । मंडलयोरिति । प्रमाणार्थकांगुलशब्दोऽद्तेते नित्यङ्कीवः । सर्वमिति न्यायेनाह । तावदेवित । न्यूनतां विरोधं च परिहरित । सत्तेति उक्तं उक्तमायम् । फिलतमाह । अतश्चेति । मंडलांतिति । मंडलानामंतराणीत्यर्थः । तुरुक्तवेलक्षण्ये । तदेवाह । सत्तेति । तेषामेव सत्वादिति भावः । परीति । उभयं संख्यामेकीकृत्येन्त्यर्थः । मंडलांतरं अन्यत् मंडलम् । उक्तरीत्या मंडलस्य द्वाविश्वंश्वं त्यार्थः । मंडलांतरं अन्यत् मंडलम् । उक्तरीत्या मंडलस्य द्वाविश्वं । अधाभिरित्यार्थमाह । एवमिति । उक्तप्रकारेणेत्यर्थः । चत्वेति बहुवीहिः । विभक्त्यंतरायोग्यत्वादाह । मानिति । इतिरर्थसमाप्तो । तदुपपित्तमाह । सार्वेति । आधादित्वात् । अस्मिस्तु पक्षे इति । द्वितीयादिमंडलानां द्वाविश्वं गुलत्वमिति नारदोक्तपक्षे त्वित्यर्थः । कार्याणीति । अन्यथा प्रागपि ततः पाद्मक्षेपसंभवानम्लोक्तपक्षतो भेदापत्त्या तद्विरोधापित्तिरित भावः । तेनेव नारदेने-२० व । संमितं तुल्यम् । यदि शोध्यपदं षोडशांगुलाधिकं तद्वांऽतरालं पोडशांगुलन्यूनमेव भवति । यदि शोध्यपदं षोडशांगुलादत्यं तदा विपरीतं कार्य इति भावः । एवं म्लोक्तपक्षेऽपि पद्ममाण-मेव आंतरमंडलं तन्यध्ये कार्यमिति बोध्यम् ।

अन्यिवरोधं परिहरति । यस्विति । कारयेदिति । 'अभेविधिं प्रवक्ष्यामि यथावच्छास्नचो-दितिमि' त्यादिः । मदनरत्ने तु ''अष्टमं सर्वदैवतम् । पुरस्तान्नवमं यत्तु तन्महत्पार्थिवं विद्धः । २५ गोमयेन कृतान्येतान्यद्भिः पर्शुक्षितानि चेति'' पाठः । मंडलानां परिमाणमाह । द्वानिशादिति । इदं प्रामुक्तरीत्या बोध्यम् । प्रचोदिता इति । 'विन्यसेच पदं तेषु कर्ता नित्यमिति स्थिति'रिति शेषः ।

ननु नवानां मंडलानां स्वयमुक्तत्वाद्षाभिरित्ययुक्तम् । किंच प्रागुक्तरीत्या योजने चत्वारिंशद्धिकमित्युचितं अन्यथा ततोऽप्याधिक्यापत्तिरत आह । तत्र नवममिति । तत्संख्योक्तेः
पाठांतरानुरोधाचाह । अपरीति । मूलादिरोधं समाधत्ते । तत्रापीति । नवस्वपीत्यर्थः । एवं

२० च 'चत्वारिंशदि'ति नारदीयं अष्टमनवममंडलांतरालभूभागं विहाय बोध्यं तस्य गमनानर्हत्वात् ।
एवं 'चतुर्विंशतिराख्याता भूमेस्तु परिकल्पनेति ' कल्पतस्कक्तपाठेऽपि आद्यमवस्थानमंडलं
विहायांगुलपरिमाणं योज्यम् । अङ्गलप्रमाणं चेति । बोद्धव्यमित्यज्ञान्वयः ॥

१ का-अग्निवर्णत्वस्य ।

## याज्ञवल्कीये १०७ श्लोकः।

सप्ति । 'नन्वि'त्यादिः । भिन्ने पदे मूलादिविरोधभावादाह । तप्तमय इति । तात्पर्याश्र्थमाह । व्रीहीनिति । शाब्दैस्तु पागुक्त एव । पङ्गतत्वादाह । अद्ग्धहस्तश्चेति । विनाऽपि प्रत्ययामिति मूले तस्य साधुत्वम् ।

विशेषमाह यस्तिवाति । प्रस्खलन्तिभशस्तः संत्रासात् प्रस्खलन्सन्यदि हस्ताभ्यामन्यत्रे- प्रयाद्यन्वयः । मूले 'हस्तादिति ' जातावेकवचनम् । तस्योति शेषत्वविवक्षया षष्ठी । 'अयःपिंडामीति ' शेषः । राजेति भावः ।

मूर्लेकृद्न्यद्प्याहेत्याह । किंचेति । गच्छत इति । हस्ताभ्यामिति शेषः।नायमपूर्वी विधि-रित्याह । अर्थप्राप्तमिति ।

स्पष्टार्थमाह । अत्र चेति । अग्निविधिविषये इत्यर्थः । अधिदेवताः अभ्याद्यः । विधाय १० कारियत्वा । गृहीत्वेति । तत्पुरतः समानीतिमिति शेषः । सोऽपि कर्ताऽपि । एवं मागपि ॥१००॥ इत्यमिविधिः ।

## याज्ञवल्कीये १०८ श्लोकः।

संगतिमाह । संप्रतीति । मामित्यस्य मेत्यादेश इत्याह । मामिति । अत एव कर्तुरयं मंत्रः । 'इती ' त्यस्य व्याख्याऽनेन मंत्रेणेति । कमित्यस्य च उदकमिति धातूनामनेकार्थत्वादाह । अभि-१५ मंत्र्येति । पुरुषेति । यस्य कस्यचित् बलीयस इत्यर्थः । अत एव 'ब्राह्मणः क्षत्रियो वैश्यो राग-देषविवर्जितः ॥ नाभिमात्रे जले स्थाप्यः पुरुषः स्थाणुवत् बलीति' नारदः । (अ. १-२०८) तद्बहणोत्तरं प्रवेशस्यासभावादाह । निमज्जेदिति । कममाह पाग्वत् । एतन्त्रेति । कार्यमिति शेषः । एवमग्रेऽपि । प्रकुर्वितिति । द्यादित्यर्थः । अत एव 'वरुणायेति' चतुर्थी । उक्तहेतोरेवोक्तमादाविति । समिति । पाड्विवाक इत्यर्थः । पाग्वदेवाह । तथिति । अत एव 'स्थापयेत्यथमं तोये स्तंभवत् पुरुषं नृपः । २० आगतं पाङ्मुखं कृत्वा तोयमध्ये तु कारिणम् ॥ ततस्त्वावाहयेदेवान्सिलेलं चानुमंत्रयेदिति '। पितामहः । देवान् धर्मादीन् । धर्मावाहनादिशिरः पत्रारोपणांतं कुर्यादित्यर्थः । अन्यदप्याह । तथिति । इति अनेन मंत्रेण । चस्त्वर्थे । चहेषु 'प्रस्रवणेषु चेति ' पाटः । 'वे 'ति पाठेऽप्रिमचेऽपि तत्रेव । तथा तदत् पितामहेनापि उक्तानीत्यस्यानुषंगः । माहो मकरः ।' अल्पक इति । विशेषमाह । नाभीति । धर्मस्थूणाम्, धर्मायः पतिमाम् 'सूर्मीस्थूणाऽयः प्रतिमे ' त्यमरः (२।१०।३५) । अवष्टमश्च धारणात्मकः संयोगिविशेषः । नारदमाह । उदके इति । नाभिद्रे हैंत्यर्थः । तथा च सापि कृत्वा तत्रादौ स्थाप्येति भावः ।

### याज्ञवल्कीये १०९ श्लोकः।

समकालमिति गमनिकियाविशेषणम्। तच साकांक्षमिति प्रकृतत्वादाह । निमज्जनेति । गतेति । ३० मध्यमशरपातस्थानं प्रतीतिभावः । 'तस्मिचि श्यस्य व्याख्या जविन्येकस्मिन्पुरुषे इति । नर् इति । लब्धमिदम् । अत एवाह । अन्य इति । तद्र्थमाह । शरीति । भूतिनिष्ठालब्धमाह ।

१ ख् – शब्देस्तु । २ मूकोक्तमन्यदप्याह । ३ क्रुसिते ।

पूर्वामिति । आनीयेति । यतः स गतस्तत्रानीयेत्यर्थः । जलनिमग्नांगमिति सप्तम्यर्थे बहुबीहि:। 'जले निममामिति ' पाठेऽपि 'अर्शेआयचा ' तत्र तथा तहिशिष्टं जलं पर्यतीत्येवार्थः। यद्वा निमज्जनं कर्णोद्यभिपायम् । द्र्शनं मस्तकाभिपायमित्यनुपदं स्फुटीभविष्यति । स्पष्टतया सर्वीः मतीते**राहैतदिति। त्रिष्यिति।** अत एव 'अप्सु प्रवेश्य पुरुषं प्रक्षिपेत्सायकत्रय'मिति **बृहस्पातिः।** एकः पुरुषः पंचम्यर्थबहुवीहिणा लब्धं स्थानं विशिनष्टि । तोरणोति । 'तोरणोऽस्री बहिर्दार' मित्य-मरः (२।२।१६)। स्थितयोरिति । तयोः सतोरिति भावः। तृतीयेति। तोरणमूलस्थितपाडिवाकसं-बंधिवतीयकरतालिकासमकालिमत्यर्थः । सत्समेति । कात्यायनोऽपि-" क्षिप्तेषु मज्जनं कार्य गमनं समकालिकामिति ''। क्षिप्तेषु शरेषु सत्सु मज्जनं गमनं च तृतीयकरतालिकासमकालिकं कार्यमित्यर्थः । प्राप्ते सित । प्राप्य लब्धा । प्रागुक्तहेतोरेवाह । स्पष्टीति । समं समकालम् । १० गमनेति समाहारदंदः । गते । तत्स्थानं प्राप्ते सति । अदर्शनं दर्शयितुमाह । अन्तरिति। सम्यगन्तर्जलिमिति । मस्तकस्यापि निमज्जनादिति भावः । एतदाशयेनेव 'यदि न पश्यतीति ' उक्तम् । अत एव मूलविरोधो नेति भावः । नारदोऽपि ( अ१-३०९-३१० ) " शरपक्षेपणस्था-नाद्यवा जवसमन्वितः।गच्छेत्परमया शक्त्या यत्रासौ मध्यमः शरः ॥ मध्यमं शरमादाय पुरुषो यस्तथा-विधः। प्रत्यागच्छेनु वेगेन यतः स पुरुषो गतः ''॥ आगत इत्यादि प्राग्वत् इति । विशेषानेवाह । जिवे-१५ **नोश्चित्यादिना** । चस्त्वर्थे । एवमभेऽपि । तत्र हेतुमाह । **हारोति** । फलमपीह हेतुः । तद्रूपहेतोः । तावेव नियोक्तव्यावित्यर्थः । **संशोध्येति** । तस्य यौ कर्णावित्यर्थः । ' शोध्यकर्णति ' पाठांतरम् । तज्जलेति । दिव्यजलसमीपभूपदेशमित्यर्थः । अत एवाह । तटे इति । शोध्यकर्णप्रमाणमुन्छितमित्यर्थः।

विशेषमाह । शरेति । वैणवं धनुश्चेत्यर्थः । मंगळेत्यस्येव व्याख्या श्वेतित । एवमग्रेऽपि । ततः इति। अतएव प्रथमिति पूर्वमुक्तम्।विशेषमाह । धनुरित्यादिना । प्रयोगिविध्यंतेन । विधिः प्रकारः । वैविध्यफळमाह । मध्यमेन चेति । एवमग्रेऽपि । एवार्थो वा । द्वितीयः पादपूरणे । किं कृत्वेत्यत आह । हस्तानामिति । तथा किंच । न्यूनाधिके तस्मिन् सित सायकान् क्षिपतो दोषः स्यादित्यर्थः । 'सप्तशति । तथा किंच । न्यूनाधिके तस्मिन् सित सायकान् क्षिपतो दोषः स्यादित्यर्थः । 'सप्तशति । त्यादेर्भिन्नपद्ते बहुवचनापत्तिः । समाहारद्विगो ङ्गीवापित्तरसंभवापितिश्वातः सप्ताधिकशातांगुळप्रमाणकिनित्यादिः वाच्योऽर्थः । तत्काळितमाहांगुळानामिति । शतमिति । यस्य तदिति शेषः २५ तात्पर्यार्थमात् । प्यं चेति । अनायासेति । अयोविकारक्षपात्रभागरहिताइत्यर्थः । कात्यायनमाह । शराश्चेति । सुद्वद्विनिति सूचितं विशेषमाह । क्षेतिति । पितामहमाह । यथाहेति । ततः क्षिपेदिति । 'तथाग्चिति' पाठांतरं च । विशेषमुक्तमेवाह । त्रिष्विति । एवमग्रेऽपि । अपे सर्वा पितामहोक्तिरेव । पेषितानां पक्षिप्तानाम् । तेषामुक्तळक्षणानाम् । तत्रापि मध्यमशरविषयेऽपि । सर्पाचिति शत्रन्तम् । वीप्तामां द्वित्वम् । अतिवातीति । पाठो वा । स्थाणुर्वक्षविशेषः । 'स्थाणुर्व ना ध्रुवः शंकुरि ' त्यमरः । ( २।४।८ )

उत्तरसंगतये आह । निमम्नांगमिति । वद्ता मूलकृता । चोऽप्यर्थे । अन्यथेति । 'आग-तस्तु शरमाही न पश्यति तथा जले । अंतर्जलगतं सम्यक् तदाद्युद्धं विनिर्दिशेदि'त्यादिः । 'अन्यथे' त्यस्यैवार्थमाहैकांगेति । स्थानपदार्थमाह । यस्मिनि । मिथोऽविरोधायाह । एकांगेति । चस्त्वर्थे । अपिरुक्तसमुचये । विशेषेति । तेनैवेति भावः । सन्निधौ पश्चिमतीरदेशे । तत्तीरे अक्षतपुंजादौ । अथ तद्भिमंत्रणानंतरम् । गृहीतस्थूणस्येति । माङ्मुखेति शेषः । प्राडिति । तोरणमूलस्थितेनेत्यादिः । दत्त इति । तृतीयतालिकासमकालमिति भावः ॥

इत्युद्कविधिः॥

## याज्ञवल्कीये ११०।१११ श्लोकौ ।

संगतिमाह इदानीमिति । व्यवस्थितमिति पाठः । विषशान्दस्य क्वीवत्वात् । एवमग्रेऽपि । प्रविषमि । त्यस्य मध्यमणिन्यायेनान्वयेन 'एवमुक्त्वे' त्यस्यार्थमाह । विषमभीति । प्रकृतत्वादाह । विषं वेगैरिति । लिङ्गीविवक्षया आह । जीर्यतीत्यादि । ' वेगैरिंगति बहुवचनसूचितमाह । विषेति । पितामहमाह । धातोरिति । चं लेति । लक्षणानि त्वित्यर्थः । तदेवाह । वेग इति । तस्योध्वं इति पूर्वान्वयि । तस्योति शेषत्वविवक्षया षष्ठी । तत्पराचिति । यथाक्रममिति भावः । वयेति । तनोविवश्तामितिचंचलताम्, कंठभंगं हिक्कां चेत्यर्थः । चस्त्वर्थे व्युत्कमे च । १०

विशेषमाह । अत्र चेति । तदानंतर्याभावायधाश्रुतासङ्गतेनारदार्थं सप्रयोगकममाह । प्राण्डित्यादि । तिहिने उपवासाध्रमाय सोपेत्यस्य व्याख्या कृतोपिति । शेपमाह । तस्येत्यादि । निधाय बच्चा । पूर्वमंत्रः कर्तुरित्यतः पैतामहमेव तन्मंत्रमाह । त्वं विषेति । विशेषोकौ हेतुमाह । नारदेति । तदेवाह । द्विजानामिति । स्थित इति । उद्देश्यस्याधिकरणत्वाविवक्षया सप्तमी । प्राक्सुको वा पाड्विवाकः । विषस्ये । त्यस्य प्रत्येकं संबंधः । विकल्पे वा । ध्याः सप्त १५ प्रदातव्याः ग्रुद्धिहेतारेसंशयः । इति अस्य पूर्वार्षम् । भेदस्तु कात्यायनेनोकः ।

''अजाशृंगानिभं श्यामं सुपीतं शृंगसंभवम् । भंगे चै शृंगवेराभं ख्यातं तच्छृगिणां विषम् ॥ रक्तस्थमसितं कुर्यात्काठिनं चैव ततक्षणात् । अनेन विधिना ज्ञेयं विषं द्व्यिविशाखैः ॥ वत्सनौंभनिभं पीतं वर्णज्ञानेन निश्चयः । ग्रुक्तिशृंगाकृतिभेगे विद्यात्तद्तसनाभकम् ॥ मधुक्षीरसमायुक्तं स्वच्छें कुर्वीत तत्क्षणात् । बाह्यमेवं समाख्यातं लक्षण्यं धर्मसाधकैः''—इति॥ २०

तेनैव पितामहेनैव । एवं प्रागुक्या स्फुटपत्यासत्तौ । चारितानि संचारितानि । कस्मैचिहत्तानि । च जीर्णानि । 'अतिजीर्णानीति ' पाठांतरम् । उक्तहेतोरेवाह । नारदेति । उक्तानीत्यस्यानुषंगः । तथा च 'नारदेनापीति ' पाठे तहत्तेनाप्युक्तानीत्यर्थः ।

ईप्सितम् । सप्तयवात्मकम् । हिमोति । हेमंतिशाशिरयोरित्यर्थः । नारक्मेवाह । वर्षे इति । इदमार्थम् । "वर्षासु षड्यवा मात्रा श्रीष्मे पंचयवाः स्मृताः । हेमंते सा सप्तयवा शरद्द्यात्ततोऽपि ही" ति २५ कल्पतरौ पाटः । मात्राशब्दः परिच्छित्रपरिमाणके वर्तते । सा मात्रा अल्पा त्रियवेति कश्चित् । न्यूनतां निराच्छे । हेमंतेत्यादि ।

नारेदमेवाह । विषस्येति । शोध्ये इति । तस्य तत्विविक्षया । तद्र्थमाह । पछं चेत्या-दिना । पक्षांतरित्तासायाह । अत्रेति । षडादिशब्दाः षष्ठादिपरा इत्याह । षष्ठ इत्यादि । चेरन्यज्ञानियमाच दोषः । अत एवार्जं विरोधो न । तस्मादिति संबंधिनस्तत्विविक्षया पंचमी । तत्रेति ३७ भावः । शोध्ये इति गाम्वत् । तमित्यस्य व्याख्या विंशतीति । विशेषं तत्राह । घृतं चोति ।

वेहिनामित्यपि तस्य तत्विविक्षया । श्लक्ष्णं पिष्टमिति । तयथा स्यात्तथा पिष्टमित्यर्थः ।

१ च लक्षणानीति [ मि. पृ. ६९ पं. ९२ + १३ ] २ भंगेत । ३ का-ख-वत्सनाळानेभम् । ४ का-स्वक्ष । धा-स्वक्ष । 'तथेवेति' मिताक्षरापाठः। ५-का तमेवाह । ६ का- अतएव कल्पतरी पाठः।

'सम्यक् पिष्टमिति ' पाठांतरम् । घृतपरिमाणमाह । जिंदादिति । यथाश्रुतासंगतेः तद्र्यमाह जिंदादिति । ' त्रिंशद्भुणेन त्विति ' कल्पतरौ पाठः सुगमः ।

विशेषांतरमाह । शोध्यश्चेत्यादिना । कुहकेति । मंत्रौदिभ्य इत्यर्थः । कुहकादीत्युक्तमेव विशद्यति । ओषधीरिति । यूढोत्पन्नानिति । ग्रप्तत्या संजातानित्यर्थः । 'विषप्रमिति ' पाठे तथाशब्दः समुच्चये । 'अपीति ' पाठे तद्ददित्यर्थे । विशेपमाह । तथिति ॥
पंचतालशतानि यस्मिनिति बहुनीहिः । कालविशेषणम् । 'कालाध्यागिरिते 'द्दितीया । चिकित्सितमिति । चिकित्सनमिति पाठांतरम् । अनर्थांतरम् । विरोधं परिहराति । पितामहेनेति । तमेवाह।
भिति तिचिति । विषे इति भावः । स्वस्थ इत्यस्येव व्याख्या । मूच्छेति । सर्वसंग्रहायाह ।
निर्विकार इति । कंचन विशेषं कथयन्त्रागुक्तमिर किचित्सपप्टत्वायाह । अत्र चेति । कमोऽन्वयः ।
१० निधाय आवध्य ।

#### इति दिषविधिः ॥

## याज्ञवल्कीये ११२ श्लोकः।

कोद्रोति । 'कोशोऽर्थीघिद्व्ययो ' रित्यनेकार्थः [ अ. को. ३।३।११७ ]। ''कोशः कोष इवांडजे । कुड्मले चषके दिव्येऽर्थच्ये योनिशम्बयोः । जीतिकोशेऽसिपिघाने '' इति हैमश्च । १५ तत्रापि पक्टतेऽपां वाचकत्वात्तत्र रूढिः । संश्राव्य अभिमंत्र्य । तस्मादाहृताज्जलात् जलमिति पाठेऽप्रिमविशेष्यम् । वक्ष्यमाणलब्धमाह । संस्नाप्येति । इत्यादिना मंत्रेण । संश्राव्येत्यस्य पाययेदित्यत्रान्वयः । प्राग्वदाह । एतच्चेति । पितामहादिभिरिति । आदिना नारदाद्यः । ते चान्यत्र स्पष्टाः ।

विशेषमाह । अत्र चेत्यादिना । समभावे तु देवानाम् देवताविषयकभक्तिसाम्ये । २० ये चेति । ताश्चेत्यर्थः । तन्नेति । बाह्मण्यादेस्तन्मूलकत्वात् । विस्नंभे विश्वासे । आस्तिक इति । सत्येन दिव्यकरणे निष्ठाशंकावानित्यर्थः । मद्यपेति । इंद्रगभींऽत्र इंद्रः । ये चेति । तेषां चेत्यर्थः । क्वीवेति समाहारदंदः । नास्तिकेति पूर्वं तद्वृत्तिरुक्त इति न पौनरुक्त्यम् । विशेष्णमाह । तथिति । यथाहेति । स एवेति शेषः ॥ ११२॥

### याज्ञवल्कीरे ११३ स्टोकः।

१५ मूलमनतारयाति । निन्विति । अनीगित्यस्यार्थः । पूर्विमिति । राजदैनिकमित्यत्र इंद्रात् 'तस्य निमित्तिमिति ' - उत्रित्याह । राजिकमित्यादि । महदित्यस्य फलमाह । अत्यस्योति । आर्थिकमाह । अर्ध्विमिति । अनेन नारदीयेऽपि अर्ध्विमित्यत्रावधेरिति शेषो दिसप्ताहादित्यत्र प्रभृतीति सूचितमतो न निरोध इति बोध्यम् । वैकृतम् । निकृतमेन नैकृतं निकारः इत्यर्थः । कृतेति कृतावधीत्यर्थः । इतिनारद्समाप्तौ । ननु नेद्मवश्यवाच्यमत आह अर्थिति । मौलावध्य-१० पादानसिद्धमेन नारदेनोक्तित्यर्थः । निरोधं परिहरति । अर्वागिति । प्रस्तुत्य प्रक्रम्य । अवध्यन्तराणि । तानि तु पितामहमेनाह । त्रिरात्रादिति । कचित्तानि चेत्यस्यादिः ।

नन्वैवमनयोर्व्यवस्थांयामापि तदुक्तपक्षाणामवांतरव्यवस्था कथमत आह । महेति । अवर्षचीनम् । व्युत्क्रमेण सहस्रान्यूनम् ।

#### इति कोशविधिः।

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न्यूनतां निराचष्टे । तुलादीनीति । यथोद्देशामीति । उद्देशानतिक्रमेणेत्यर्थः । नाम्ना वस्त-सकीर्तनसहेशः । सक्षण हो दिन्दि । भक्षणे चोदितं शास्त्रविहितं विधिं प्रकारमित्यर्थः । 'लक्षणबोधि-तमिति , पाठांतरम् । भक्षणवर्जने इति च । चौर्थे त्विति पाठे नान्यवेतीति पाठः । चौरो त्विति पाठे नान्यस्येतीति पाठः । कृत्वेत्यस्य संमिश्रानित्यत्रान्वयः । स्नानोद्कं चादित्यस्यैव प्रत्यासत्तेः । ततः भक्षणकारणानंतरम् । **शीर्याति ।** विशीर्णं भवति । 'हर्नुंजालं च सीदतीति' कल्पतरौ पाठः ।हनुजालं उत्तराधरप्रदक्षिणम् । हनुजालसमूह इति तद्र्थः । कर्जनुपादानाद्र्थमाह । **द्विरोरोपितेति ।** तं शोध्यमः । असंबद्धत्वनिरासायाह । भक्षेति । तस्य चौरादिकत्वादिति भावः ।

#### इति तंडुलविधिः।

तथा हि तदेवोच्यते । विस्तारमाह । षोडेति । निम्नतामाह । चतुरिति । बहुवीहिः । अथेत्यस्या-श्रेऽन्वयः । अनेन कारयित्वाति तत्र शेषः सूचितः । मंडलमित्यस्यार्थमाह । वर्तलभाति । घततेलयो- १० रेकार्थत्वाद्विकल्पः । धुनुयात् कम्पयेत् । सर्वसंग्रहाय तत् उपसंहराति । निर्विकारोति बह्वीहिः । 'यावद्रचनं वाचिनकमिति'न्यायेनाह । उद्धरेदिति।तत् सत्वेऽप्याह। आद्रोति। स्थलविशेषेइति भावः।

तदुक्तमेव प्रकारान्तरमन्ययन्थानुक्तमाह । अपरेति । उपादायेति । स्थापयित्वेत्यर्थः । स्त्रज्ञो-**धितामिति ।** भग्नादिनिरासायेति भावः । 'सुशोभितामिति' पाठान्तरम् । **धौतां** पक्षालिताम् । भ्रमद्वीचीति । भ्रमन्ती वाकृ शब्दो यस्मिनित्यर्थः। तर्डेवीचिभिः पूर्णे । न नखस्पर्शस्यापि १५ विषये । चुरुकारमिति । तेलादिपकतापरीक्षा चुर इति शब्देन भवतीत्यनुकरणामिद्ं ध्वने: । तत्रापि सुयोपकं महाराज्दयुक्तम् । कियाविशेषणिमदं द्वयम् । अनेन वश्यमाणेन । प्राद्धिवाक इति शेषः । सुतप्तत्यात् पवित्रत्याचाह । पावकेति । प्रदेशिनी तर्जनी । यस्य कर्तुः । तस्यामिति शेषः । **घृतानुमन्त्रणमिति ।** परामित्यायुक्तमित्यर्थः । अत एवाह । त्यमसे हाति । पागव-दाह । अग्न्यभीति । माग्वदाह । प्रदेशिनीमिति ।

#### इति तप्तमाषकविधिः।

चोऽप्यर्थे । तथा चेति । स आहेति शेषः । वचने न्यूनतां परिहरति । हन्तूणा-मित्यादि । इतिर्वचनसमाप्तौ । इतराभ्रमायाह । प्रतिमेति । एकार्थत्वादाह । सीसकं वेति । अर्श आयजन्तमिति भावः । कनन्तं वा । आहेति शेष एवेति भावः ।

अभ्युक्ष्य प्रोक्ष्य । सितपुष्प इति बहुवीहिः । पुष्पधृत इति धूत्रः क्विब- २५ न्तस्य रूपम् । धूगिति पाठे धूष्णोतेस्तदन्तस्य रूपम् । भूदिति पाठे भूञस्तद्नतस्य । एवं विधाये-त्यस्य ब्याख्या उपलिख्येति । एवंविधाबुपलिख्येति पाठान्तरं सुगमम् । एवंविधायोपलिख्येति पाठे तु एवं संिकस्य चन्दनेनोपलिप्येत्यर्थः। समं यथा स्यात् तथा कार्यौ इत्यर्थः। तत इत्यग्रिमान्वाये । अनुपहते अभगादौ । अनुपलक्षितावित्यनेन पिधानं तस्य सूचितम् । मध्ये चूर्णिकामाह । तत इति । तयोश्चैक-मिति । ततश्रकमिति दितीयः पाठः । अविलम्बित इति । अविशंकित इति । 'अविल- ३० म्बितमिति'। पाठे कियाविशेषणम् । समासतः संक्षेपतः ।

#### ब्रहस्पातिरापि

" पत्रह्रये लेखनीयौ धर्माधर्मौ सितासितौ । जीवदानादिकैर्मन्त्रीर्गायत्र्यायैश्व सामभिः॥ " आमन्त्र्य पूज्येद्गन्धेः कुसुमेश्च सितासितैः । अम्युक्ष्य पञ्चगन्येन मृत्पिण्डान्तरितौ ततः ॥ बा. १६

१०

" समी कृत्वा नवे कुम्भे स्थाप्यो चानुपलक्षितो । ततः कुम्भात्पिण्डमेकं प्रगृह्णीताविलम्बितः ॥ " धर्मे गृहीते शुद्धः स्यात्संपूज्यश्च परीक्षकैः " । इति ॥ जीवदानादिकैः ताः प्रजामिथुनीत्यादिभिरिति कल्पतरुः । पाणप्रतिष्ठापूर्वमित्यन्ये । इति धर्माधर्मविधिः ॥

#### ५ फालविधिबृहस्पतिनोक्तः-

" आयमं द्वादशपलं घटितं फालमुच्यते । अष्टाङ्गलं भवेद्दीर्घ चतुरङ्गलविस्तृतम् ॥
" अग्निवर्णं तु तच्चीरो जिह्नया संलिहेत्सकृत् । न द्ग्यश्चेच्छुद्धिमयाद्न्यथा तु स हीयते" इति ।
'मन्वादिभिरिति' आदिना नारदादिपरिग्रहः। तथा च नारदः। (अ०१ श्लो० २४३।२४४)
"शपथा अपि देवानामृषीणां च महात्मनाम् । वसिष्ठः शपथं शेपे यातुधानेन शङ्कितः ॥
"महर्षयस्त्वथेन्द्रेण पुष्करार्थेन शङ्किताः । शेपुः शपथमव्यग्राः परस्परविशुद्धये" ॥ इति ।
"महर्षिभिश्च देवैश्च कार्यार्थं शपथाः कृताः । वसिष्ठश्चापि शपथं शेपे वै यवने नृषे "॥
इति मनुरपि । (अ० ८ श्लो० १९०)

सत्यवचनं, सत्यमिति कथनम् । पुष्पमिति । पुण्यमिति पाठान्तरम् । आद्यविषयमुक्त्वा द्वितीयमाह । सत्यनेति । अत्र च, शपथविषये । आर्तिः पीडा सा च नान्येत्याह । आर्ति-१५ रपीति । पूर्वे कैवेति भावः । एवं कालनियमोऽपि मगुक्त एवेत्याह । कालेति ।

#### कात्यायनः--

''आचतुर्दशकाद्ह्रो यस्य नो राजदैविकम् । व्यसनं जायते घोरं स ज्ञेयः शपथे शुाचिः ॥ '' अत्राङ् मर्यादायाम् ।

#### मनः-- (अ०८। श्लो०१११।११२)

२० "न वृथाशपथं द्धर्यात्स्वल्पेऽप्यर्थे नरो बुधः । वृथा हि शपथं दुर्वन्येत्य चेह च नश्यित ॥ "कामिनीषु विवाहेषु गवां भक्ष्ये तथेन्धने । ब्राह्मणाभ्युपपत्ते। च शपथे नास्ति पातकम् ॥ '' इति ।

यमः—

" कृत्वा मृषा तु शपथं कीटस्य वधंसंयुतम् । अनृतेन तु युज्येत वधेन च तथा नरः ॥ 
तस्मान्न मिथ्याशपथं नरः कुर्याद्दधेप्सितम् । " इति ॥

१५ 'भर्विद्व्यशेषमाह। एविमिति। शुद्धं पुरुषम् !तं अशुद्धसंम्विष्यनम् । आहेति। कात्यायन एवेति भाषः । तुलेति समाहारद्दन्दः । कल्पनामेवाह । सहस्त्रमिति । षद्शतामिति बहुवीहिः । दण्डो विशेष्यः । चतुरिति समाहारद्दन्दः । कमविवक्षया न दोषः । अग्रेऽपि अतिदिशनाह । एवं च हीनिमिति । उक्तप्रकारेण कल्पनाया चाग्रेऽपि उत्तरोत्तरन्यूनमित्यर्थः ।

विरोधं परिहरति । निह्नचे इति । मूलमिदं सर्वसाधारणम् । अत एव न विकल्पः। ३० अत एवाह । अयं दिन्योति । कात्यायनोक्तो । दिन्यमात्रविषय इत्यर्थः । एवञ्च तुलाग्निमलिल-विषकोषतण्डुलतप्तगाषधर्माधर्मश्चापथद्ण्डलपैरवान्तरप्रकरणैविशिष्टमिदं महादिन्यप्रकरणं संपन्नमिति मोध्यम् । तदाह । इति दिन्योति ।

इति दिन्यपकरणं संपूर्णम् ।

## अय दायविभागप्रकरणः ८.

निबन्धकारः पद्यबन्धेन सङ्गितिमाह । प्रमाणमिति । इति भेदेनेति । इति एवंप्रकारेण हिन्धं प्रमाणमवान्तरभेदेन वर्णितमित्यर्थः । योगिति । योगीश्वरेण याज्ञवल्कयेनेत्यर्थः । निक्ष्पणीयव्यवहारपद्गनां मध्ये केषांचित्रिक्षपणानन्तरं मध्ये प्रसक्तप्रमाणनिक्षपणं कृत्वाऽवसरसङ्गत्या प्राप्ताविशिष्ठव्यवहारपद्निक्षपणपसङ्गे तावत् सर्वोपयोगित्वेन दायविभागो निक्षप्यते इत्यर्थः ।

द्गयशब्दार्थं तावदाह । तत्रेति । निरूपणीये दायविभागे इत्यर्थः । एवेन लोकप्रसिद्धकयादिरूपनिमित्तान्तरमात्रव्यवच्छेदः । सम्बन्धश्च जन्यजनकभावादिर्धनस्वामिना सहान्यस्य पुत्रादेवीध्यः ।
एतेन पूर्वद्रव्यस्वामिसम्बन्धाधीनं तत्स्वाम्युपरमे यत्र द्रव्ये स्वत्वं तत्र निरूढो दायशब्द् इति प्राच्योकमपास्तम् । 'विभागं चेदि'त्यादिवक्ष्यमाणमूलादिषिरोधापत्तेः । तत्र जन्मना स्वत्वाङ्गीकारात् । स च
दायश्च । 'अप्रतिबन्ध' इत्यादिवेहुत्रीहिः । तत्रायस्वरूपमाह । तत्रेति । तयोर्मध्ये इत्यर्थः । 'सूर्या १०
पिते'त्यादिना वक्ष्यमाणसिद्धान्तमभिप्रत्याह । पौत्राणां चेति । यथाकममन्वयः । तेषां स्वामिसत्वेऽपि जननमात्रेणान्योपायं विनाऽपि स्वाम्यस्य सत्त्वात् दायस्य अप्रतिबन्धत्वमिति भावः ।

द्वितीयस्वरूपमाह । पितृव्यश्चात्रादीनामिति । पितृव्यश्च भ्राता च तत्प्रभृतीनामित्यर्थः । अभ्यहिंतत्वात्तस्य पूर्वनिपातः । पितृव्यत्वादिकं च धनस्वामिनिरूपितमेव । अत्र वस्तुकथने तात्पर्यं न तु कमे । पितृभ्रात्रादीनामिति पाठान्तरम् । तत्र कम एव । पितरौ च भ्रातरश्च आदिर्येषां तेषा- १५ मिति तद्र्थः । विशेषान्तरमाह । स्वाम्यभावे चेति । तद्भावे उभयोस्तत्तद्वूपेणाभावे । तत्पुत्रा- विश्वपीति । पितृव्यादिपुत्रादिष्वपीत्यर्थः । तत्रापि विद्यमानेषु धनस्वामिसम्बन्धिषु यस्य तेनाव्यव- हितः सम्बन्धस्तस्याद्यो यस्य व्यवहितस्तस्य द्वितीय इति भावः ।

एवं द्यशब्दार्थमुक्त्या विभागशब्दार्थमाह । विभागो नामेति । अविभक्तद्रव्यसमुद्यायनिरू-पितानामनेकेषां पुत्रादिनिष्ठस्वाम्यानां तदेकदेशेषु समुद्तिद्रव्येकदेशेषु तद्विषयतया तिबरूपिततया १० व्यवस्थापनं विशेषेण प्रत्येकमवस्थापनं यत् तत् विभागशब्दवाच्यमित्यर्थः ।

उक्तार्थं समूलयति । **एतदेवेति । पैत्रस्येति ।** 'तस्येदमि'त्यण् (व्या. स्. ४।३।१२०)। 'पित्र्यस्येति ' कल्पतरुधृतपाठस्तु न युक्तः । यतो देवताधिकारपिठतत्वात् । यत्र व्यवहारे । तिद्विवादपदं बुधैरिति पाठान्तरम् । तत्र तिदिति विधेयिविशेषणम् ।

तत्र न्यूनतां परिहरन् तस्य स्वोक्तार्थपरत्वमाह । न्येन्येतीति । स्वत्वे निमित्तभूतो यः संब- २५ न्यः स्वामिसम्बन्धः पागुक्तस्तदुपलक्षणार्थमित्यर्थः । तेन पैतामहादेरिप ग्रहणम् । अत एवाह । तनथेरिति । प्रत्यासकेति । अन्यविहतसम्बन्धीत्यर्थः । एतेनैकदेशगतस्यैव भूहिरण्यादादुत्पनस्यैव स्वत्स्य विनिगमनापमाणाभावेन वैशेषिकन्यवहारानईतया अवस्थितस्य गुटिकापातादिना स्वत्वन्य- अनं विभाग इति प्राच्योक्तमपास्तम् । निमित्तभूतसम्बन्धस्य साधारणत्वेन नियतैकदेशग्रहणे विनिगमकाभावेन च तथा दुर्वचत्वात् । अन्यथा तदाऽपि यथेच्छन्यवहारापत्तेमिथो विरोधाच ।

एवं सङ्गतिमुक्ता विचारं कर्तुमादौ विभागप्रकरणार्थे निष्कृष्याह । इद्गमिति । इह, विभाग-प्रकरणे । अत्र 'कस्येति ' द्र्यनिर्देशः ' कथमिति ' इतिकर्त्तव्यतायाः । ' कैश्र्वेति ' कर्तॄणाम् ।

[?] ख-स्वितिरक्तान्य जनप्राप्ते विनाऽपि स्वाम्यस्य सत्वात् तस्य तत्विमिति भावः। रख-तस्य । ३ ख-क-विनिगमना इद्मसुकस्य नाम्यस्यत्यवधारणस्या तत्प्रमाणाभावेन वैद्येषिकव्यवद्वारः परस्यर्नैरपेक्ष्येण दानविक्रयादिलक्षणः तद्गर्हतया भवस्थितस्य सतोऽभ्यसत्कव्यस्य गुटिकापातादिना व्यञ्जनम् इदमसुकस्येत्यवधारणं विभाग इत्यर्थः ।

तत्र चतुर्णी मध्ये । इह आदौ । तस्य मूलानारूढत्वात्सकलदायप्रकरणोपयोगित्वाचिति भावः । तत्रापि दिविधो विचारः । तत्राद्यविचारस्य विभज्यमानं द्रव्यं विषयः । तत्र सन्देहः किम् अस्वस्य विभागः स्वत्वहेतुः, तथा च विभागेन स्वत्वं न ततः प्राक् स्वत्वहेतुभूतविभागाभावात्; उत विभागे न स्वत्वे हेतुः किं तु जन्मैव, तथा च तत एव स्वत्वात् स्वस्य विभाग इति । अयमेको विचारः । तद्महः । किं विः गादिति । स्वं स्वीयम् । स्वस्येति । स्वीयस्य सत इत्यर्थः । एतद्भपयोगिदितीय-विचारं तावदाह । तत्रेति । उत्ते विचारविषये इत्यर्थः । एवेन एतद्विचारं विना तस्य दुष्करत्वं सूचितम् । यथा चैतत् तथाऽनुपदमेव स्फुटीभविष्यति । अत्र विचारे स्वत्वं विषयः ।

तत्र संशयमाह। किमिति। शास्त्रेकिति। तन्मात्रेत्यर्थः। प्रमाणान्तरेति। लैकिकेत्य-र्थः। तत्र पूर्वपक्षमाह। तत्रेति। तयोर्भध्ये इत्यर्थः। तदेवाह। स्यामीति। व्याख्यातिमदं प्राक्। १० स्फुटीभविष्यति चानुपदं सूले एव। यथेतस्तल्लाभस्तमाह प्रमाणान्तरेति। लैकिकत्वे इत्यर्थः। इदं गौतमवाक्यम्। अनुवादे फलाभावात्। वचनान्तरिवरोधमाह। तथेति। स्वत्वस्य लौकिकत्वे इत्यग्रिममत्र योज्यम् । अद्तादायिन इति षष्टचन्तं हस्तान्विय । अन्यनाद्तं परकीयमाद्दाति तस्य चोरस्य हस्तादित्यर्थः। अग्रे तु फलितार्थ उक्तः। याजनेति समाहारद्दन्दः। अपिना प्रति-ग्रहसमुच्चयः। सैतेनत्वातिदेशस्तदृण्डगाप्त्यर्थ इत्याह। दण्डेति।

१५ स्वत्वस्यालौकिकत्वे युक्तिमप्याह । आपि चेति । स्वत्विमिति । तदेति शेषः । तत्र हेतुमाह । अपहर्तुरेवेति । तत्मम्बन्धस्यैव प्रत्यक्षविषयत्वात् । उक्तदोपं परिहरन् विशेषमाशङ्कते । अथिति । परिहरति । एवं तर्हाति । स्वत्वस्य लौकिकत्वेऽन्यस्य स्वेऽन्येनापहृते स यदि ब्रूयान्मम स्वमनेनापहृतमिति तदा श्रोतृणां सभासदामुक्तसंशयो न स्यात् । यथा लौकिके सुवर्णरजतादिस्वरूपे दृष्टे सुवर्णादिकं भवति न वेति न संशयः तद्दत्स्वत्वेऽपि तद्भावः २० स्यात् । लोकतः तत्कोटिनिश्चयसत्त्वात् जायते च संशयः । तस्माद्पहर्तुः स्वं न भवतीति वक्तुमशक्यमिति भावः ।

यदा । अथेति पूर्वपक्षवादी प्रष्टव्योऽपहर्तुः स्वं न भवतीति प्रमितिरुत्पद्यते न बेति । तञ्चाद्ये आह । प्रवन्तर्हीति । यथेदं सुवर्णमिदं रजतमित्युत्पन्नायां प्रमितौ सुवर्णादिस्वरूपे संशयो न भवति तथा प्रकृतेऽपीति भावः । नापि दितीयः । प्रमित्यनुद्यादेवापहर्तुः स्वं न भवतीति वर्वेतुमशक्यत्वा- २५ दिति । पूर्वपक्षसुपसंहरति । तस्मादिति ।

सिद्धान्तमाह । अत्रोच्यत इति । स्वत्वस्य लौकिकत्वमनुमानेन तावत्साधयति । लौकिक-मेवेति । स्वत्वं पक्षः, लौकिकत्वं साध्यं, लौकिकार्थेति हेतुः । तत्रान्वयन्याप्तौ दृष्टान्तमाह । त्रीद्यादिवदिति । तथा च स्वत्वं लौकिकं, लौकिकार्थिकियासाधनत्वात् । यद्यलौकिकार्थ-कियासाधनं तत्तलौकिकं, यथा त्रीह्यादिस्वरूपं, तथा चेदं, तस्मालौकिकमिति बोध्यम् । यद्यलौ-२० किकं न भवति तत्त्तलौकिकार्थिकियासाधनमपि न भवति यथाऽऽह्वनीयादिरिति । व्यतिरेकव्याप्ति-दृष्टान्तमप्याह । आह्वनीयादीनामिति । हि यतः ।

संभवे व्यतिरेकापरिश्चद्धमनुमानं ताहशं न प्रमाणमित्याक्षेपं सुचयन् व्याप्तौ व्यभिचारमाह । नन्याह्वनीयादीनामपीति । अलौकिकस्यापि तस्य लौकिकपाकादिसाधनत्वादुक्तव्यतिरेक-

१ ख-तेन त्वातिदेशः । २ ख-इ-वकुं शक्यत्वात् । ३ ख-इ-क व्यक्तिकव्याप्तियन्याहः । ४ क-उक्तव्याप्त्योर्थं व्यमिचारात् ।

व्याप्ती व्यभिचाराद्नुमानं दुष्टमिति भावः । अपिना बीह्यादि । समाधत्ते नैतादिति । आह्वनीयादौ स्वरूपद्वयसत्त्वेऽपि पाकसाधनत्वं न शास्त्रसमधिगम्यम् । अलौकिकाह्वनीयादिस्वरूपहीनलौकिकान्नेरेव तत्स्वरूपेण पाकसाधनत्वाङ्गीकारात् । न चालौकिकाह्वनीयादिस्वरूपेणैव तद्स्तु । तथादि
सिति अलौकिकाह्वनीयादिस्वरूपहीनलोकिकान्नेः पाकसाधनत्वं न स्यात् । न च सामान्यस्वरूपेण
सार्वित्रकं तद्स्तु । तथा सित तस्यापि लौकिकत्वापत्त्या शास्त्रानर्थक्यापत्तेः । अत एव साधनत्वं
फलोपहितत्वं निविष्टम् । तस्मास्न व्याप्तो व्यभिचार इति भावः । नन्वेवं पक्नतेऽपि सुवर्णादेः सुवणीदिस्वरूपेणेव लौकिकक्यविक्रयाधर्थिकयासाधनत्वमास्तां न स्वत्वरूपेणेति कथं तस्य लौकिकत्वसिद्धिरत आह । इह त्विति । स्वत्वेनैव तद्दतेव । तद्वे ध्वनयन् उक्तमुपपाद्यित ।
न हीति ।

लोकविशेषव्यवहारोऽपि स्वत्वस्यालोकिकत्वेऽनुपपद्यमानस्तस्य तत्त्वे प्रमाणिमित्याह । अपि १० चिति । 'प्रत्यन्तो नेलेच्छदेशः स्यात्' । सर्वथा शास्त्रज्ञानाभावसूचकिमद्म् । तदाह । अहम्रोति । अज्ञातेत्यर्थः । म्लेच्छादीनामिति यावत् । ननु तद्यवहारस्य तस्य तत्कल्पकत्वमुक्तम्, तत्र कल्प- कसन्त्वे एव न मानमिति कथमर्थापत्त्या तत्सिद्धिः, अत आह । क्रयेति ।

स्वत्वस्य तत्त्वं न्यायवित्तंमतमपीत्याह । किंचेति । नियतोपायकमिति । प्रतिमहार्ज-नाद्गित्यर्थः । न्यायाविदः तेऽपि । कथमित्याशङ्कायामुक्तमुपपाद्याति । तथा हीत्यादिना । १५ लिप्सोति । तत्पद्घटितसूत्रे इत्यर्थः । चतुर्थाध्याये प्रथमपादे द्वितीयाधिकरणसूत्रम्, 'यस्मिन्प्रीतिः पुरुषस्य तस्य लिप्साऽर्थलक्षणा विभक्तत्वात् १ इति ।

तत्र प्रथमवर्णके कत्वर्थपुरुषार्थयोर्लक्षणिवचारः, द्वितीये वर्णके गोदोहनादिकं क्रत्वर्थमुत
पुरुषार्थमित्यादिविचारः। तृतीये वर्णके त्वयं विचारः—अनारभ्य पठचंते द्वव्यार्जननियमाः—ब्राह्मणः २०
प्रतिग्रहादिना धनमर्जयेत्, राजन्यो जयादिना, वैश्यः कृष्यादिनेति। तत्र संदेहः, किमेते क्रत्वर्था
उत पुरुषार्था इति।

तत्र पूर्वपक्षः । तेषां तत्त्वेऽपि कत्वर्थत्वानङ्गीकारेऽधिकारिणः अभावाद्दिण्यानर्थक्यापत्तेः कर्तृप्रयुक्तद्रव्यद्वारा कृत्वथित्वे युक्तमिति । अयं भावः । यथा कृतुविधिना आक्षिते द्रव्यार्जने 'सोमं
क्रीणाती ' त्यादिर्द्रव्यार्जनिनयमः कृत्वर्थस्तथेव प्रतिग्रहादिनियमोऽपि । अन्यथा तिन्नयमस्य द्रव्य- २५
प्राप्तिस्वरूपे तत्कार्ये क्षुत्पतीघातादो चानुपयोगाद्यैयर्थ्य स्यात् । न च तत्र प्रकरणं कृत्वर्थताबोधकमस्ति
नात्रोति वेषम्यामिति वाच्यम् । अहष्टोपायापेक्षकतुसामर्थ्यनाहृष्टप्रयोजनापेक्षानियमसामर्थ्यन वाऽङ्गत्वसिद्धः । न चैवं सर्वस्य द्रव्यस्य कृत्वर्थत्वाज्ञीवनं न स्यादिति वाच्यम् । आनियमोपार्जितेन तिसद्धेः।
यद्दा जीवनं विना कृत्वसिद्धः कृतुविधिभिरेव स्वार्थसिद्ध्यर्थं नियमोपार्जितस्य जीवनार्थत्वमम्युपगतमिति । द्रव्यपाप्तिरूपद्रव्यार्जनमञ्जोदाहरणमिति तन्त्रस्तकृदुक्तं तु वार्तिकविष्टं युक्तिविष्दं च । ३०
विधेयस्यैव मीमांसायां विचारादिति बोध्यम् ।

एवमाक्षिपाति न्द्रव्ये त्यादिना आशंक्येत्यन्तेन । द्रव्यार्जननियमानां ऋत्वर्थत्वे स्वत्व-स्यालौकिकत्वेन लौकिकहेत्वजन्यत्वेन वैदिकहेत्वन्तराभावेन नियतमतिग्रहादिहेतूनां च ऋत्वर्थत्वेना-

१ क-लोकिकत्वात्सिद्धिः । क-लोकिकत्वासिद्धिः । २ क-अलोकिकत्वं ध्वनयन् । ३ समरकोशे (२।१।७)। ४ ख-क-नम् ।

म्यार्थत्वेनाकौरणककार्योत्पत्त्यभावेन च स्वत्वानुत्पत्त्या स्वस्याभावात् अस्त्रेन च कत्वसिद्धेः कत्वश्री नियमा इति पूर्वपक्षासम्भव इत्यर्थः ।

तमुजीवयाति । द्रारा जिनस्योति । वैपरीत्येनाम्बयः । अत एव याजनादिद्वारेण द्रव्यमर्ज-यतामिति शङ्कावसरे उक्तम् । तम पतिमहो नाम स्वीकारविशेषः । अर्जनं च द्रव्यमाप्तिरूपम् । अत एव याजनादिना लिप्सेतेति पाक् स्मृत्युक्तम् ।

> 'ईश्वरं चाप्युपासीत योगक्षेमार्थसिद्धये ' [१।१००] इति **मौ**ळं अर्जनोपायबोधकम्,

"पण्णां तु कर्मणामस्य त्रीणि कर्माणि जीविका । याजनाऽध्यापने चेव विशुद्धाच प्रतिग्रहः ॥ "

ू १० इति मानवं च (१०।७६) संगच्छते । प्रतिग्रहादिनियमाः स्वत्वं साधयन्त एव ऋतूपयुक्त-धनद्वारा कृत्वर्था भविष्यन्ति, यथाऽवघातो वितुषीभावं कुर्वनेव कृतूपयुक्तवीहिद्वारा ऋत्वर्थस्तदृत्। तम्म स्वत्वं जन्मना पुत्रत्वादिकवत् अर्जनेनार्जकार्ज्ययोः ताद्वशस्वत्ववत् स्वस्वाभिभावसंबन्धस्पं छौकिमेव मन्यंते वृद्धाः।

यतः--

१५ "संबन्धः कारकेभ्योऽन्यः कियाकारकपूर्वकः । श्रुतायामश्रुतायां वा कियायामभिधीयते ॥ " इति हर्युक्तेः कियामूलकः कर्तृकर्मणोः सम्बन्धो लोकसिद्धो न मानान्तरापेक्षः । नै चैवमर्जनाकि-यापाये तज्जन्यस्य तस्याप्यपायः । संबन्धिनोराश्रययोः सत्वात् । न हि पितुः कियापाये पितृत्वमपैति । तथा च लौकिकत्वात्स्वत्वस्य स्वेन च कतुसिद्धेनै तद्भाव इति सिद्धं तेषां तत्विमिति भावः ।

ननु तथाँऽर्जनस्य स्वत्वसाधनत्वेऽिं तिभयमानां कत्वर्थत्वाद्र्जनस्यापि क्रवत्थित्वेनान्यार्थत्वात् स्वमेव नेति कत्वभावस्तद्वस्थ एवोति पूर्वपक्षासिद्धिरेवेत्याह । ननु चेत्यादि वर्त्ततेत्यन्तेन । उपहसन् परिहरित । प्रलिपतिमिति । अर्जनं स्वत्वं नापाद्यतीति वद्ता केनाि प्रलिपतिमिदं, यतो मिथो विपतिषिद्धमित्यर्थः । यहा केनािप प्रलिपतिमिद्म् । तत्र हेतुमाह । अर्जनिमिति । यत इत्यादिः । 'इति वद्ते' त्यस्य ' गुरुणे'त्यत्रान्वयः । अर्जनं नामार्जकधर्मः प्रागुक्तस्पस्तत्प्रयुक्तः २५ स्वस्वामिभावः संबन्धः । स च द्विनिष्ठः पितार्पुत्रत्ववत् । तथा चार्ज्यं विनाऽर्जनस्यानिष्यत्तेमें माता वन्थ्योतिवत् अर्जनं स्वत्वं नापाद्यतीति वचनं मिथो विरुद्धमित्यर्थः ।

ननु पूर्वपक्ष्युक्तत्वादेव नायं तिसद्धान्तोऽत आह । सिद्धान्तेऽपीति । इत्थं हि सः । धनार्जनप्रवृत्ते द्यिधकारिणि अर्थलभ्ये सित तिनयमानां ऋतुनिवेशकल्पना न युक्ता । धनकामाधिकारे च रागात्पवृत्तो न नियतं प्रवर्तते । अनियमप्रवृत्तेने तिद्दिद्यानर्थक्यम् । किंचार्जनमात्रस्य ऋत्वर्थत्वे ३० कृत्स्नमेवार्जितं कत्वर्थमिति जीवनोपायाभावात्सर्वऋतुलोपः स्यात् । किश्च लिङ्गस्य ऋत्वर्थत्वपुरुषार्थबोधकत्वे साधारण्याच तेन ऋतुमात्रार्थत्वम् । अतो न कतोः ऋतुत्वेन द्रव्यार्जनाक्षेपकता किंतु पुरुषार्थत्वेन । अन्यथा '' त्रयाणां द्रव्यसंपचः कर्मणो द्रव्यसिद्धित्वात् '' इति पाष्टाधिकरणोक्तेन ऋतुनां द्रव्यार्जनाक्षेपकत्वेन विरोधः स्यात् । ' द्वाद्शरात्रीदिक्तितो भृतिं चिन्वीतेति ' भृतिचयनादिकं

१ क-अकारणकभावार्थोत्पस्यभावेव । २ क-मित्रप्रहातयोर्भध्ये । ३ क-ड-अर्जकार्ज्ययोः स्वस्वािममावसम्बन्धस्य । रोकिकस्य स्वत्यस्य अर्जनिकयाजन्यत्वाक्तीकारे । ४ क-ड-स्प्रत्वत्यागात्मककस्वभावः । ५ क-तेषां नियमान् सस्वकर्त्वर्थत्वम् । ६ ख-अर्जनिस्य । ७ क-स्वसस्वसाधनेऽपि । ६-ख-क-पितापुत्रवत् ।

तु पुरुषार्थाजितद्रव्यवाधेन क्रत्वर्थतया विधीयते इति वैषम्यम् । तथा चोपायान्तरेणै द्रव्यार्जने प्रत्यवायः कल्प्यते । न च 'हिरण्यं धार्यम् ' इतिवत् द्रव्यार्जनमेव फलार्थमस्त्वित वाच्यम् । दृष्टार्थत्वे सम्भवित अदृष्टार्थत्वस्यान्याय्यत्वात् । तस्मात्पुरुषार्था नियमा इति । यद्यप्येवं न्यायेन तत्र स्थापितं तथापि यज्ञोपवीतादि्वदुभयार्थता बोध्या । अत एव – 'न्यायोपार्जितविज्ञेन कर्तव्यं तु सद्। द्विजैः । ' इति चतुर्विद्यातिमत्मपृपपद्यते । एवं अर्जनमपि । अत एव 'जीविकेति'पागुक्तमानवसङ्गितिरित बोध्यम् । अत एव द्वव्यस्य सर्वकार्यार्थत्वेन पुरुषार्थत्वात्तदाश्रितनियमस्यापि तद्र्थत्वमिति सिद्धान्तस्त्रं सङ्गच्छते इति तत्त्वम् ।

विचारति । अधिकरणिवचारप्रयोजनिमत्यर्थः । सिद्धान्तप्रयोजनस्वरूपमेवाह । अतो नियमातिक्रम इति । तत्प्रयुक्तदेष इत्यर्थः । अत एव विश्वद्यति । अस्य चेति । प्रयोजन-पर्यन्थस्य मूलोक्तस्येत्यर्थः । विवृतः गुरुणेति शेषः । 'यद्त्यादिना नियमातिक्रमदोष ' इतीत्य- १० न्तेन ग्रन्थेनेति भावः । पूर्वपक्षे पुरुषस्य न ततो दोषः । किंतु ततो न क्रतुसिद्धिः कृतुवैगुण्यात् । सिद्धान्ते तु तेषां पुरुषार्थत्वात् व्यतिक्रमे पुरुषस्य दोषो न कृतुवैगुण्यमिति तात्पर्यम् । एवव्यवच्छे- यमेवाह । नियमातिक्रमार्जितेनेति । पूर्वपक्षे इति पूर्वान्वाय । भवतीति पाठः ।

वस्तुतस्तु पूर्वपक्षे द्रव्यार्जनस्य कर्माङ्गत्वात्तत्त्वर्मकाले एवादौ तद्वपयुक्तद्रव्यार्जनम् । स्वतन्त्र-कालत्वे मानाभावात् । तत्काले द्रव्यालाभेन कर्मलोपेऽपि न प्रत्यवायः । अर्थिन एवाधिकारात् । १५ सिद्धान्ते तु पूर्वार्जितेन यष्टव्यमिति । एतेन पूर्वपक्षे प्रतिप्रहाद्यर्जितमेव कतौ याह्यम्, सिद्धान्ते यथाकथं-चित्तिद्धिमिति राणकोक्तमपास्तम् । तत्त्वियमवाक्यतस्तद्करणे पुरुषस्यानिष्टभवनलाभेन प्रत्यवायवत् । कतुफलाभावस्यापि इतकष्टं प्रति कष्टजन्येष्टाभावस्याप्यानिष्टत्वेन दोषात् । अत एवापशूद्धाधिकरणे सूद्रेण नाध्येयमिति निषेधातिक्रमे शूद्रस्य कतुफलासिद्धिः प्रत्यवायश्चेत्युक्तं भाष्यक्कतेति बोध्यम् ।

पकृतोपसंहारं सूचयन् फिलतमाह । निर मातिकमार्जितस्यापीति । तथा चेत्यादिः । २० सिद्धान्तिनेति भावः । अपिः केमुतिकन्यायसूचकः । अन्यथा । नियमातिकमार्जितस्यापि स्वत्वानङ्गीकारे । नियमानां कत्वर्थत्वेन तद्जितस्यापि तत्त्वेन स्वत्वस्यालौकिकत्वे स्वत्वाभावेन जीवनदौर्लभ्यात्तदभावात्तदभाव इत्यर्थः ।

ननु तद्तिक्रमार्जितेऽपि स्वत्वाङ्गीकारे चौर्यादिमाप्तस्यापि स्वत्वपसङ्गोऽतः प्रसंगान्मध्यमदोष-परिहारं सूचयन्नाह । न चैतावतेति । न हीत्यर्थः । हेत्वसिद्धिं परिहरति । व्यवहारविसंवा- २५ कृतिति । परिद्कत्रयायदर्शनादित्यर्थः ।

एवं स्वत्वस्य लौकिकत्वे साधिते असाधारणविध्यानर्थक्यं परिहरति । एवं प्रतीत्यादिना । विजितत्थाय भावे कः । विजयाद्यः । उपाया इत्यस्याग्रे सर्वत्रानुषंगः । अद्दृष्टीते । द्रव्याद्यदृष्टे-त्यर्थः । इति नियमा अदृष्टार्था इत्वन्ययः ।

[ृ] क—उपायाभरतः २ क—स्वर्गफलार्थव्यमिति । फ—तृतीयायाध्यायस्य चतुर्थपादस्थद्वादशाधिकरणम् । तस्मात्मुवर्णे हिरण्यं भार्ये मुवर्ण एव भवति दुर्वणोऽस्य भातृत्यो भवतीत्यत्र विहितं शोभनवर्णोपेताहरण्यधारणं वैदिकिक्रयास्पत्वेषं कृत्पस्थापकवन्त्रस्वागमारादुपकारकम् । कर्मविित्ययत्यस्यम्यसारात् कृतुगतहरण्यसंस्कारो वा । हिरण्यं हस्ते भवतीति हिरण्यापमाप्तधारिष्ठिरण्यानुवादेन शोभनवर्णता विधिवा । इति त्रेषाऽपि कृत्वर्थो विधिः व पुमर्थे हिरण्यानुवादेन शोभनवर्णता विधिवा । इति त्रेषाऽपि कृत्वर्थो विधिः व पुमर्थे हिरण्यानुवादेन शोभनवर्णता विधिवा । इति त्रेषाऽपि कृत्वर्थो विधिः व पुमर्थे हिरण्यानुवादेन श्रामे कृत्वर्थापकत्वाच । तस्मात्केवलं पुर्वमस्तस्य कृत्वर्थापकत्वाच । तस्मात्केवलं पुर्वमस्तस्य कृत्वर्थापकत्वाच । तस्मात्केवलं पुर्वमस्तस्य कृत्वर्थापकत्वाच । तस्मात्केवलं पुर्वमस्तस्य कृत्वर्थापकत्वाच । तस्मात्केवलं पुर्वमस्तस्य

अथ साधारणविध्यभावेऽपि तत्परिगणकगौतमवाक्यानर्थक्यरूपालौकिकत्वसाधकपागुक्तावयुक्ति खण्डयति । रिक्थाद्यस्त्वित्यादिना वेदितव्यमित्यन्तेन । सर्वेति । वर्णसङ्करेत्यर्थः । तद्र्थं वक्तुं तानेवाह । स्वामीति । तत्र तेषां मध्ये ।

अनन्येति । अनन्यस्वामिकस्येत्यर्थः । एवं पदार्थानुक्त्वा वाक्यार्थमाह । एतेष्विति । यथा-५ श्रुते साकाङ्क्षत्वादाह । भयतीति । सर्वतद्र्थमाह । ज्ञातेषु ज्ञायते स्वामीति । एतेषु निमि-तेषु ज्ञातेषु स्वामीति ज्ञायते इत्यर्थः । अनेन पूर्वपक्ष्यभिमतार्थनिरासः । एतद्र्थतया साफल्यात् ।

अग्रिमार्थमाह । **ब्राह्मणस्येत्यादि** सपतीकम् । लब्धमित्येतत्स्वारस्याद्वचनांतरेकवाक्यत्वाद्त एव साहचर्याच शेषपूरणेनाह । प्रतियहेति । अधिकमित्यस्योत्कृष्टामित्यर्थस्तदाह । असाधारणमिति । विजितमित्यत्र विजय उपलक्षणम् इत्याह । विजयदण्डेति । अधिकमित्यनुवर्तते इति पाठः । १० भोगरूपनिर्वेशाशयेनाह । कृषीति । आदिना वाणिज्यादिपरिग्रहः ।

न्यूनतानिरासायोक्तन्यायमन्यज्ञाप्यतिदिशाति । एविमिति । पष्टचन्तयोस्तत्तदसाधारणमित्य-त्राप्यन्वयः । स्वत्वहेतुषु तेषां मध्ये । तत्तत्सर्विमिति । तेषामित्यादिः ।

ननु स्वत्वस्य लौकिकत्वे 'पत्नी दुहितर' इत्यादिवचनजातं विरुद्धं, तेन स्वामिनोऽभावे पत्न्यादेः स्वामित्वप्रतिपादनात् इति गौतमोक्त्योक्तयायं प्रागनुक्तमपि दोषं तत्प्रसङ्गेनोद्धर्त्तुमाह । १५ यद्पीति । तत्रापि वचनेऽपि । तद्भावे इति शेषः । क्रमस्मरणामिति पाठः । अन्यथा तत्रापी-त्यसंगतेः । एवमन्यस्मृतिविरोधाभासोऽपि निरसनीय इति न कोऽपि वचनविरोधः ।

अत्रेदं बोध्यम् । नतु किं तावत्स्वत्वं यस्य लौकिकत्वं सिद्धान्तिनोच्यते । न च शास्त्रनिषिद्धं यथेष्टविनियोगोपायभूतक्रयपातिग्रहादिविषयत्वं तत्, तच न बिहिरिन्द्रियवेद्यं प्रतिग्रहादिगिनसज्ञान-विशेषस्य तद्योग्यत्वाभिपायोक्तमेवेति वाच्यम् । प्रतिग्रहादिनाशोत्तरमपि स्वत्वव्यवहारात्, दानादितः २० स्वत्वं नश्यित प्रतिग्रहादितश्चोत्पद्यते इति व्यवहाराच्च । इति चेत्र । दानादिनाश्यस्य प्रतिग्रहादिजन्यस्य पदार्थविशेषस्यैव स्वीकारात् । तद्पि बहिरिन्द्रियवेद्यं 'स्वं पश्यामी ' त्यादिव्यवहारात् । अतिप्रसङ्गस्तु न । तत्साक्षात्कारे तदीयस्वत्वव्याप्यतदीययथेष्टविनियोज्यत्ववदिद्मिति ज्ञानस्य हेतु-त्वात् । अतस्तद्गहे तदीययथेष्टविनियोज्यत्वे तदीयस्वत्वव्यभिचारित्वग्रहे च न तद्ग्रहः । एतेनानु-मेयमेव स्वत्वं, स्वं पश्यामीति तु सुरभिचन्द्नं पश्यामीतिवन्न लौकिकविषयतावगाहीति परोक्तमपा-२५ स्तम् । तस्या अन्यत्र लिण्डतत्वात् ।

तत्र दानं दिविधम, दृष्टार्थमदृष्टार्थं च । दिविधमपि दिविधं प्रतिग्रहसहितं तद्रहितं च । यद्यपि प्रतिग्रहः स्त्रीकारमात्रं तथापि बाह्मणः प्रतिग्रहादिना धनमर्जयेदित्यत्र तिलतुरगादिप्रतिग्रहे दोषबोधक-स्मृतिवाक्येषु च प्रतिग्रहराब्देनादृष्टार्थद्त्तस्वीकार एवेति परितोषद्त्ततिलतुलरगादिस्वीकारे न कस्यापि दोषो नापि क्षत्रियाद्यर्जनियमानर्थक्यम् । पारितोषिकमेव दृष्टार्थमित्युच्यते । द्राधात्वर्थस्य ६० स्वस्वत्विनृत्तिपूर्वकपरमात्रस्वत्वापत्त्यनुकूलत्यागः ।

न च त्यागस्य स्वत्वनिवृत्तिहेतुत्वेऽपि न परस्वत्वोत्पत्तिहेतुत्वं, प्रतिग्रहादेखं तत्त्वादिति वाच्यम् । विप्रोहेशेन त्यक्तमात्रायां गवि 'गौरियं विगस्य न ममे'त्यादिसर्वजनप्रतीत्या त्यागस्यैव तस्या अपि हेतुत्वाङ्कीकारात् । अत एव 'पितृस्यः आद्धं द्वयादि'त्यादौ स्वत्वे पितृनिकापितत्वस्य प्रसिग्रह्मभावात् बाघेऽपि उक्तरूपद्मधात्वर्थे पितृणामुद्देश्यत्वसत्त्वाच्चतुर्थ्युपपत्तिः । विदेशस्थपात्रमुद्दिश्य त्यक्तधन-स्वीकारमन्तरेणैव पात्रस्य मरणेऽपि उद्देश्यपुत्रादिभिरेव पितृदायत्वेन तद्धनं विभज्य गृह्यते नान्यैरिति व्यवहारसङ्कातिश्च । अन्यथा तैरिवोदासीनैरपि तद्धनस्यारण्यककुशादेरिवोपादाने प्रत्यवायो न स्यात् ।

नचैवं प्रतिग्रहो व्यर्थ इति वाच्यम् । ' लब्धावष्टगुणं पुण्यमि'त्युक्तेस्तस्य तादृशपितगृहीत-धनदाने फलातिशयजनकत्वात् । मात्रपदं तु वक्ष्यमाणसंसृष्टिस्थलेऽसाधारणस्वत्वनाशोत्तरं साधारण-स्रत्वोत्पादेऽपि ददातीति प्रयोगाभावसंक्षरणार्थम् ।

न च तत्र न स्वत्वनाश इति स्वत्वनिवृत्तिपूर्वकेत्यनेनैवातिप्रसङ्गवारणे मात्रपद्ं व्यर्थमिति वाच्यम् । तत्रापि स्वत्ववित स्वत्वानुत्पत्त्या पूर्वस्वत्वनाशाङ्गीकारात् । इच्छाया उत्तेजकत्वाङ्गीकारे तु गौरवम् । एतेन न तत्र स्वत्वनाशः, किन्तु परस्वत्वोत्पत्तिमात्रं स्वत्ववित स्वत्वोत्पत्तिस्तु तत्रत्ये- १० च्छायाः उत्तेजकत्वादित्यपास्तम् । न चैवमप्युपेक्षायां दोष एवेति वाच्यम् । तस्या नियमतः परस्वत्वा-नुपाद्कत्वेन द्दातीति तत्र प्रयोगापाप्तेः । अत एव विक्रयस्थलेऽपि न तथा प्रयोगः । तस्य नियमतः परस्वत्वानापाद्कत्वात् । तादृशस्थले ऽनितप्रसङ्गाय मूल्यदानपूर्वकस्वीकाररूपक्रयस्यैव स्वत्वजनक-त्वात् । एवं च दानादित्यादिपदेन तादृशकय इति तयोरेव तन्नाशकत्वं तज्जनकत्वं च । न चैवं प्रतिमहादिजन्यमिति व्यर्थमयुक्तं चेति वाच्यम् । लौकिककारकजन्यत्वेऽपि तत्प्रमाणगम्यत्वेऽपि १५ शास्रगम्यत्वस्य तदीयहेतुजन्यत्वस्य च प्रतिपादनार्थं तदुक्तेः ।

तथाहि 'ब्राह्मणः प्रतिग्रहादिने'त्यादिना 'स्वामी रिक्थे'त्यादिना च प्रतिग्रहादेस्तत्वं स्पष्टमुक्तम् । न चान्त्येन तथाकत्वेऽपि आद्येनार्जने तस्य तत्त्वमुक्तं न स्वत्वे, अर्जनं च लाभापर- पर्यायं द्वयपाप्तिरूपं प्रागुक्तमेवेति वाच्यम् । प्रतिग्रहादिमताऽर्जनेन धनं स्वं कुर्यादिति वाक्यार्थेन तद्दत् तस्यापि तद्द्वारा एतज्जनकत्वलाभात् । अत एव याजनादिद्वारेण द्रव्यमर्जयतामिति- २० प्रतिग्रहादिना द्रव्यार्जनस्य स्वत्वसाधनत्विमिति च व्याख्याकृतोक्तम् । तस्मात्प्रतिग्रहादिकमर्जनं च तद्दत् तत्साधकम् ।

तत्रायं क्रमः । संभवे आदौ त्यागः, ततः प्रतिग्रहः, ततोऽर्जनं, ततः स्वत्वम् । मध्ययोरसंभवे तु आबादेव । एवमन्यत्राऽपि । एवं च प्रतिग्रहादिजन्यमित्यत्र जन्यत्वं साक्षात्परम्परासाधारणम् । आदिना याजनाध्यापनाविजयादिकृष्यादिसेवादिवत्तादृशत्यागस्य साधारणस्य रिक्थादेश्व २५ तादृशक्यघटितस्य ग्रहणम् । तत्र प्रतिग्रहादेस्त्यागक्ययोश्व तत्त्वमुक्तम् । प्रतिग्रहाधिगमयोरपि तद्वत्तत्वं स्पष्टम् । रिक्थशब्देन द्रायशब्दार्थघटकस्वामिसंबन्यमात्रं, संविभागशब्देन तादृशः प्रतिबन्धकाभावविशिष्टः स इति तयोरपि तत्त्वमविरुद्धं प्रागुक्तं चेति न कोऽपि दोषः । प्रागुक्तविभागस्तु न स्वत्वजनकः । तस्य शरीरे तिभवेशात् । अत एव गौतमादिना कारकः हेतुषु न पठितः । विभागात्स्वत्वमित्यादिविचारोऽपि परमतस्य गौतमीये संविभागशब्देन विभागः स ३० च न प्रागुक्तस्यः किंतु प्रसिद्ध इति अमस्य च निराकरणद्वारोक्तिसद्धान्तार्थप्रतिपादक एवेति न विरोधः । एवं च विभागाजन्यं द्रानक्रयनाश्यविभागनाश्यं साधारणासाधारणोक्तमिनित्तप्रयोज्यं लोकः

श्लोकः ११३]

प्रमाणप्रत्यक्षगम्यं भोगायनुमेयं च स्वत्वमिति निष्कृष्टार्थं इति सर्वमनवद्यम् । स्पष्टं चेदं मञ्जूषादाः विति तदाह । सर्वमिति ।

एवं सर्ववचनदोषपरिहारे कृतेऽवशिष्टं युक्तिविरोधस्तपमि प्रागुक्तं तृतीयदोपमुद्धरित । यद्पीति। व ब्रुयादिति । अपहर्तुरेव स्वत्वात् यदि ब्रूयात्ति मध्यस्थानां संशयो न स्यात् सुवर्णादिस्तस्ये इवेति शेषः । सत्वहेत्विति । तादृशस्थले आवेद्कवचनाद्न्यदीयमनेनापहतमिति ज्ञानमात्रोत्पत्ता-विपि तस्याप्रमात्वेन विप्रतिपत्तिकारणात् वादिना तथाऽभिहिते प्रतिवादिना चान्यथाऽभिहिते मध्यस्थानाम् "अनेन अपहारलब्धमथवा कयादिलब्धम् " इति स्वत्वकारणभूतकयादिषु संदेहात्तत्कार्यभूतस्त्वेऽपि संदेहसंभवादित्यर्थः ।

ननु स्वत्वस्य तत्त्वनिरूपणमत्र प्रकरणे नोपयुक्तं तद्गतलौकिकत्वयोविभागाद्यप्रयोजनं १० जकत्वात् अत आह । विचारप्रयोजनं त्विति । उत्सर्गण त्यागेन । न केवलं तावन्मात्रमित्याह । जण्येनेति । इतीति । अनेन मानवेन त्यागविधानादित्यर्थः । पूर्वपक्षे आह शास्त्रकेति । गितंत्वं देधा निषिद्धत्वमविहितत्वं चेत्याह । असत्प्रतियहेत्यादि । सिद्धान्ते तद्वचनविरोधं परिहरति । तस्योन्त्सर्गेणिति । एवव्यवच्छेद्यमेव सूचयन्नाह । तत्पुत्रेति । ननु दायत्वेन तत्त्वेऽपि परम्परया दोषसंबन्धो- उत्त्येव अत आह । सप्तेति । वित्तलाभोपाया इत्यर्थः । अत्र दायपदेन रिक्थसंविभागयोर्ग्रहणं, लाभ- १५ पदेन परिग्रहाधिगमयोः, जयेन दण्डस्यापि, प्रयोग इत्यनेन कृष्यादेः, कर्मयोग इत्यनेन सेवादेः प्रतिग्रह इत्यनेन तयोरपीति बोध्यम् ।

ननु प्रतिज्ञानुरोधेन प्रतिज्ञातिषयिवचारो युक्तो नान्यथेति कथमत्र वेपरीत्यम् । न च कारणान्तरेणात्र तथा । तस्यादर्शनात् । न च हेतुहेतुमद्भावः । वश्यमाणिवचारस्य स्वत्वगतलौकिकत्वानपेक्षत्वात् । न च सूचीकटाइन्यायः । लौकिकत्वस्य बहुयुक्तिसाध्यत्वात् । अन्यस्य कस्यचिद्दर्श२० नाच । अतः इतकरिष्यमाणिवचाराववसरदुःस्थाविति चेन्न । स्वत्वविद्वभागस्यापि लौकिकत्वेन
तद्गतिनयमामामेवालौकिकत्वेन जन्मादेरिप लौकिकत्वेनोक्तरीत्या स्वत्वस्य लोकिकत्वे सिद्धे एव
लौकिकविभागादिजन्यत्वस्य तत्र घटमानत्वं नान्यथेति इत्तविचारो हेतुः करिष्यमाणिवचारो हेतुगानिति तस्यैतदानन्तर्यमुचितमित्याश्यात् ।

तदेतत् ध्वनयनाह । इदानिमिति । तद्नन्तरमित्यर्थः । तथा च उक्तारायेनैवेदानीमित्यः २५ स्याञोक्तिति बोध्यम् । इदं संदिद्यत इति । पूर्व विचारप्रतिज्ञायामुक्तसंदेहानुवादपूर्वकं प्रतिग्ञातं प्रतिपाद्यते इत्यर्थः। यद्यप्युक्तपतिज्ञायां स्वस्यास्वस्य वेत्येव शाब्दः सन्देहस्तथाप्यार्थिकमुक्तमेवाह । किं विभागादिति। तत्र तयोर्भध्ये। जातेति। जातपुत्रः इष्णकेशोऽशीनाद्धीतेत्यनेनेति भावः । तत्र पुत्रशब्दोऽपत्यमाञोपलक्षणम् । इतैकशेषदिवचनान्तेन बहुन्नीहिर्वा । इष्णाः केशा यस्येत्यनेन पूर्ववयस्कत्वं, समर्थत्वमिति यावत् । एवंविधोऽधिकारी आधानं द्वर्यदिति तद्र्यः। नन्वस्य विद्यायकत्वेऽपि विभागात्स्वत्वस्य कथमितो लाभोऽत आह । यदि जन्मनिति। एवेन तत्र्यवच्छेदः। उत्यक्ति । तन्मात्रस्येत्यर्थः । तस्यापि द्वयस्वाम्येन द्वयस्य साधारणत्यदिति भावः । तद्राह । तत्स्विनिति । आधानादिष्विति । पतिपत्नीमान्नसाध्येष्वित्यर्थः । आदिना अवश्यकर्तव्यक्षाद्ध- भातंक्रमिति । आधानादिष्विति । पतिपत्नीमान्नसाध्येष्वित्यर्थः । आदिना अवश्यकर्तव्यक्षाद्ध-

नतु वचनात्तवाधिकारो वक्ष्यमाण इति चेत्ति निषेषस्य प्राप्तिपूर्वकत्वात्तव पक्षे प्रीति-दत्तस्य विभागप्राप्तिरेव नेति तिन्निषेधस्यासङ्गतिरित्याह । तथिति । विप्रतिपात्तिरूपकारणान्तरिनरा-सायाह । सर्वेति । तव पक्षे ततः स्थिते एव स्वत्वे द्रयोदीनप्रतिग्रहयोरिधकारात्तेनैव तिसद्ध्या विभाग-कारणाभावात्तद्पाप्तिरेवेति तद्नुपपत्तिरित्यर्थः । ननु तद्वचनमेव खपुष्पायमाणम् । अतो नारद्माह । यथाहेति । शौर्यभार्यासवन्धियने इत्यर्थः । एवमग्रेऽपि । अत एव शौर्यादिना वाऽऽप्तमिति वृहस्पतिर्विद्याप्राप्तं शौर्यथनिमिति व्यासश्च सङ्गच्छते । यस्येति । यत्रेति पाठांतरं युक्तम् । पैतृक इति । पितुरागत इत्यर्थे पितुर्यचेति ठञ् ।

ननु सर्वानुमतिरेव यत्र न, तद्दिषयकमिति नायं दोष इति चेत्, दोषान्तरमाह । तथेति । विष्णवमाह । भर्त्रेति । अत्र दानदैविष्यादाह । श्रीतीति । सामान्येनेत्यादिः । तत्र पक्षे जातमात्रस्यापि स्वत्वसत्त्वात्तस्यानुज्ञायामप्यसामर्थ्यात् तद्वव्यस्य सर्वसाधारणत्वेन एकेन दातुमशक्यत्वात् पीतिदान- १० स्याप्यसंभवात् तत्प्रतिपादकमिदं वचनं विरुद्धचेतेत्यर्थः । ननु स्थावरादित्यस्योत्तरार्द्धोपात्तान्वय एव एवं स्यात्, स एव नेति न तद्दवचनविरोधः, किंतु अनुकूलमेव तीदिति शङ्कते । न चेति । तथा चाश-नादावसंबंधेन तदनिषेधेन पीतिदाने संबंधेन स्थावरांशे तिश्वषेधेन तत्रैव वचनतात्पर्य नान्यत्र तत्रेति तेन जन्मनेव स्वत्वं प्रतिपादितं भवतीति भावः । व्यवहितेति । एवमन्वये तथा स्यात्, स एक न, व्यवधानस्य प्रतिबन्धकत्वेन तद्नवयालाभात् । नन्वेवमपि वचनान्तरयोरव्यवहितान्वयेनैव स्थावरस्य १५ प्रीतिद्ानप्रतिषेधाज्जन्मेव स्वत्वहेतुः, न विभाग इति आशयेनाशङ्कते । **यद्पीति । इदं द्वयम् । नारदी-**यम् । प्रवालानामिति निर्धारणे पष्टी । यद्दा सामानाधिकरण्येनान्वयः । तत्र समानविभक्ति-कत्वस्य तन्त्रत्वेऽपि समानवचनत्वस्यातन्त्रत्वात् । 'वेदाः प्रमाणिम 'त्यादावन्यथाऽगतेः । व्युत्कमेण एवव्यवच्छेद्यं, न स्थावरान्यदिप, किन्तु स्थावरमेव । अत एव सर्वपदसार्थक्यमिति तत् उपलक्षण-मिति सुचयन्नाह । स्थावरेति । एकत्वमविवक्षितमिति सुचनायाह । सर्वस्येति । एवमग्रेऽपि । २० पितृप्रसादात लब्धानि । सति सत्यपि । प्रसाददाने इति विषयसप्तमी । प्रतिषेधवचन-मिति । जातावेकवचनम् । एवमग्रेऽपि । ननु पैतामहे स्थावरे सर्वसाधारण्यं, ताहृशेषु मणिमुक्तादिषु तु नेत्यर्धजरतीयम्युक्तम् । अत् आह् । अतीते पितामहे इति।तथा च वचननियम्यमेतदिति न दोषः ।

पूर्वपक्षमुपसंहरति । तस्मादिति । अयं भावः । अर्जनाद्र्जिकस्य स्वं, तच तत्संबिधनां पुत्राद्गीनामपि विभागात्स्वामिनाशाद्वा स्वम् । तत्र स्वामिनि जीवति विभागः स्वत्वहेतुः । विनष्टे २५ तु स्वामिनि तत्राश एव स्वत्वहेतुः । तत्रान्योऽपि विशेषः, स्वामिसंबन्धिनः पुत्रस्य पौत्रस्य वा एकत्वे स्वामिनश्च विभक्तत्वे एकत्वे वा स्वामिनाश एवासाधारणः स्वत्वहेतुः । तेषामेव बहुत्वे तु स्वामिनाशा-त्साधारणं स्वं भवति विभागाच प्रातिस्विकमिति । एवं सति स्वामिनि तादृशे पितामहे नष्टे विभागात्माक् पितामहधने पितुः प्रातिस्विकस्वत्वाभावादेव पैतामहं स्थावरं न पीत्या द्वादिति तत्स्थावरप्रीतिद्वानिषेधो, न स्वोपार्जितस्य, येन जन्मनेव स्वत्वं स्यादिति । यतः स्वामिनाशो अपि स्वत्वहेतुरतः पितिरि मृते ३० विभागात्मागन्यदीयद्रव्यमिवौदासीन्यविषयभूतं तत् द्रव्यं न भवतित्याह । अत प्रवेति । तनाश-स्यापि तत्त्वाङ्गीकारादेवेत्यर्थः । पितुः मरणात् । प्रहीणेति । निरूपकस्य स्वामिनोऽभावादिति भावः ।

१ फ-तत्र पक्षे इत्याश्येनाह । २ फ-भवतीत्याह ।

एवमनेकपुत्रस्थले तदावश्यकत्वमुक्त्वैकपुत्रस्थले तदावश्यकत्वमाह । तथैकिति । तहिद् त्यर्थः । प्रयाणात् मरणात् । ताहशस्यैकपुत्रस्य स्वं पितृमरणादेव पुत्रस्यापि स्वमिति न तिहभागमपे-क्षते हित वाक्यार्थः । एवव्यवच्छेद्यमेव नेत्यादिनोक्तम् । इतिः पूर्वपक्षसमाप्तौ ।

एवं पूर्वपक्षे स्थिते सिद्धान्तमाह । अत्रोच्यते इत्यादि । पूर्वसिद्धान्तस्यात्र हेतुत्वसूच५ नाय तमनुवद्ति । लोकेति । प्रकृते साधकं तदेवाह । लोके चिति । तस्य तत्स्वीकारे सोत्कर्षस्य तत्वमत्यावश्यकमित्याह । नापह्मविमाति । युक्त्यन्तरमाह । विभागेति । प्रोक्तमिदं प्राकृ । न प्रहीणेति । नापि स्वत्वरहितेत्यर्थः । प्रसिद्धामित्यस्यानुषङ्गः । अत्र गौतमवचनमपि मानमाह । तथोत्पत्त्यविति । तथाशब्दः समुचये । उत्पत्त्येव जन्मनैवांशे स्वामित्वात्तमर्थं लभेतेत्याचार्या मन्यन्ते इत्यर्थः । अस्वामित्वादि्ति पाठांतरम् । अर्थस्वामित्वामिति पाठान्तरं तु प्रचुरं युक्ततं च । १० वचनाचेत्यपपाठः ।

मणिमुक्तेत्याद्यपि सिद्धान्तपक्षे एवोपपद्यते इत्याह । मणीति । आदिना वचनजातपिग्नहः । एवं सफल्यन् अस्य पूर्वपक्ष्युक्तमन्यार्थपरत्वं निराचष्टे । न च पितामहेति । अनुँपपत्तो हेतुमाह । न पितािति । अयं भावः । स्वािमनाशस्यािप स्वत्वहेतुत्वेनातीते पितामहे तद्धेने पितापुत्रयोः स्वाम्यस्य साधारण्येऽपि मण्यादिकं वचनात्यितुरेव स्थावरं तु साधारणमेवेति प्रागुक्तार्थो यदि १५ तद्धचनात्प्रतीयेत तद्दा पूर्वोक्तव्यवस्था स्यात् । न च तथा । यदि पितामहोपार्जितमेव स्यात्था- वरादिकं तदा तस्मिन् जीवति स्वोपार्जिते तस्य प्रभुत्वाभावबोधकतुरीयपाद्स्यानुपपत्तेः । तस्मादेवं वाच्यं, पितामहे जीवत्यपि स्थावरेषु सर्वसाधारण्यमिति अस्य तद्विषयत्वं तदुक्तमनुपपन्नमेवेति ।

नन्वेवं किंविषयं तद्दचनद्दयं येन प्रकृतार्थलाभोऽत आह । पितामहस्य हीति । हि यतः । यचनं वचनद्दयम् । तथा च जन्मना स्वत्वपरमेवं तद्दचनद्दयमिति भावः ।

२० ननु जन्मनैव स्वत्वे सर्वसाधारणत्वात्स्वस्य मणिमुक्ताद्रेरिष कथं प्रीतिद्वानिमत्याशङ्कायां प्रति-बन्या वचनादित्याह । यथेति । परः पूर्वपक्षी । उक्ताशयेनेवाह । यस्त्रेति । अस्मन्मतेऽिष सिद्धान्तमतेऽिष । पित्राऽिजतिति । स्वाजितिति पाठान्तरम् । तथा च स्थावरिभन्नं स्वोपार्जितं वस्तु अनुज्ञानार्होनुमतिं विनाऽिष पित्रा दातुं शक्यमिति भावः ।

नन्वेवमिप स्थावरस्य मीतिदानबोधकविष्णुवचनविरोध एवेत्यत आह । यत्तु भर्नेति । २५ भर्नृकर्तृकप्रबित्तं स्थावरस्य मीतिदानबोधकविष्णुवचनविरोध एवेत्यत आह । यत्तु भर्नेति । २५ भर्नृकर्तृकप्रबित्तं । किच्चित्रथेव पाउः । तत्स्वोपार्जितस्यापीति । स्वोपार्जितेष्विष स्थावरेषु अनुज्ञासमर्थानुमितं विना दानानिषकारी- उन्यत्र तु नानुमत्यपेक्षेति भावः । एवं च भर्तृद्ते स्थावरे यावज्जीवं निवासो, न दानविक्रयौ आवश्यककार्य विना । अत्र भर्तृयहणात् श्वज्ञुरद्ते स्वातन्त्र्यमपि । अत एव—

#### बृहस्पतिः--

३० "स्थावरादिधनं स्त्रीभ्यो यद्दं श्वश्चरेण तु । न तच्छक्यमपाहर्तुं पुत्रैरापि हि किहिंचित् "॥
हित विष्णुवचनस्यैवमर्थपरत्वे हेतुमाह । पूर्वोक्तेरिति । बहुवचनेनानुक्तवचनसंग्रहो बोध्यः ।
तचाग्रे स्फुटीभविष्यति । वचनैरिति करणे तृतीया । अतो योग्यत्वनिश्चयादित्यत्र न समासानुपपातिः।

१-ड-फ-क-प्रायणात्। २ फ-स्वपितृमरणात्। ३ फ-अनुक्तत्वे। क-अयुक्तत्वे।

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ं आवशुक्तिं खण्डयति । यद्प्यथैति । वचनात्तत्राधिकार इत्यर्थः । सिवशेषमुपसंहरति । तस्मादिति । स्थितमित्यत्रान्वयः । यद्यपीति शेषः । पितुरित्यस्य स्वातन्त्र्यमित्यत्रान्वयः । उक्तवक्ष्य माणस्मृत्युक्तमाह । आवश्यकेत्यादि । आवश्यकत्वे हेतुमाह । वाचिनकेष्विति । आद्धादि- जित्यर्थः । इद्मुत्तरस्यैवाङ्गं वा । स्थावरेति । तद्न्यद्रव्यस्य विनियोगे स्वातन्त्र्यामित्यर्थः ।

एवं स्थावरान्यत्रोक्तवा स्थावरे सिद्धान्तमाह । स्थावरोति । वैलक्षण्ये तुः । पारतन्त्रय-मेवित । पित्रादेरिति भावः । अस्यार्थस्य पर्यवसानतो न्यायतो लाभेऽपि वचनमपि अपवाद्कम-स्तीति आह । स्थावरमिति । द्विपदं दासादि । स्वयं स्ययमपि । अर्जितं, तथापि तैस्येति शेषः । असंभूय असंपृच्छ्य । सुतेत्युपलक्षणम् । अत एव सर्वानिति । एकशेषस्तत्र प्राग्वत् । न केवलमेतावदेव किंत्वन्यद्पीत्याह । ये जाता इति । अजाताः जनिष्यमाणाः । कांक्षन्ति यतोऽत इति शेषः ।

अस्येति । उक्तसामान्यवचनस्य विशेषवचनेनापवाद् इत्यर्थः । 'स्थावरे ' इति विषयसप्तमी । आधमनमाधिः । समाहारद्वंदः । निमित्तविशेषमाह । आपदिति । वश्यमाणार्थ-सिद्ध्यर्थमेवाह । अस्यार्थ इति । अनुज्ञानादाविति । तत्समर्थत्वे तु वश्यमाणप्रकार इति न विरोध इति भावः । तथेत्यनेनोभयपरामर्शः । अपिना विभक्तसमुच्चयः । विशेषत इत्यस्य सर्वशेष-त्वात् । ततोऽपि विशेषमाह सकलेत्यादि । तदिति । सकलकुटुम्बेत्यर्थः । विषयसप्तम्या फलितमाह । १५ स्थावरस्योति । कुर्यादित्यर्ते एवेकत्वलाभे पुनः एकार्थमाह । समर्थ इति ।

यथाश्रुते प्राप्तं मनुवचनिवरोधं उक्ताशयेनेव परिहर्रात । यत्तु मनुवचनिमत्यादि । सिपण्डा इति । प्रत्यासन्नोपलक्षणम् । हि यतः सर्वेत्रेति दानादिविशेषणम् । तद्पीत्यस्य व्याख्येयमित्यत्रान्वयः । अपिः पूर्वविष्णुसमुच्चये । अत एव व्युत्क्रमेण व्याच्छे । अविभक्तेष्वित । मध्यकत्वात्, साधारणत्वात् । अनीश्वकत्वात् । उभयत्र स्वार्थे कः । मध्यस्थत्वात् ' अनीश्वरत्वात् ' २० इति पाठान्तरम् । सर्वेति । अविभक्ताभ्यनुज्ञां विना दानाद्यसिद्धेरिति भावः । व्यवहारसौकर्यायेति । प्रतिग्रहीत्रादीनामिति भावः । न पुनः न तु । फलितमाह । अत इति । तथा चाभ्यनुज्ञानादावसमर्थनिषयकं तत्, इदं तु तत्समर्थविषयकम् । किञ्च तत्समर्थेष्वप्यविभक्तेषु तदिना दानादिकोपपत्तावपि प्रतिग्रहीन्त्रादेवहारसौकर्यार्थं तद्पेक्षेत्येतस्यार्थः । तत्समर्थेषु विभक्तेषु तु तदनुमितं विना दानादिकोपपत्तावपि प्रतिग्रहीन्त्रादेव्यवहारसौकर्यार्थं तद्पेक्षेत्येतस्य विषय इति नेदं सर्वात्मना दानाद्यिकारनिरोक्षम् । एकोऽ २५ पीत्यस्याप्यपवादकं, येन विरोधो भवेदिति भावः । " द्रव्यांशे विभक्तानामप्यविभक्तक्षेत्राद्युत्पन्न- सस्यादिदानादावनुमितं विनाऽधिकारप्रतिषेषार्थमिद्मिति तु " मदनः ।

मनुवचनान्तरिवरोधं निराचष्टे । यद्पीति । स्वेति सर्वविशेषणं स्पष्टार्थे प्रत्यासत्तेरेव लाभात् । द्वन्दान्ते श्रूयमाणत्वाद्नुमतेः सर्वत्र संबन्धः । तत्र च भावे कः । चोऽग्रे योज्य इति षड्भिरित्यर्थः । तदेतत् पतिपाद्यन् यथाक्रमेणोपयोगं पद्र्यचाद्ौ ग्रामजनानुमतेः फलमाह । तत्रापि ३० भामानुमतिरिति । मनुमाह । प्रतियह इति । न पुनः । न तु । 'दायादानुमतेरिति ' जातावेक-वचनम् । उक्तमेवेति । व्यवहारसौकर्यमित्यर्थः । हिरण्योद्केत्यादेविलक्षणोपयोगं वक्तं सप्रतीकमाह ।

१ क-तथाप्येतस्पेति । २ क-कुर्यादित्यतेन प्रयेकत्वलाभे ।

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हिर्ण्येति । ननु दानस्थले तयोर्जनसत्त्वेऽपि विकये तद्भावाद्गमनस्य तत्रापि सत्त्वादिद्मयुक्तम्, अत आह । स्थावरे इति । इदं इयं मनुवत् सप्रतीकम् प्राग्वत् । अपिना दानम् ।

एवं स्थावरे सामान्येनोक्त्वा विशेषमुभयत्राह । पैतृके इति । एतेन पितुर्निधनमेव स्वत्वकारणम् । "पितर्यूर्ध्वं गते पुत्रा विभजेयुर्धनं पितुः " ( अ॰ १३ श्लो॰ २ )

इति नारदात् । न जन्म । 'ऊर्ध्वं पितुश्च मातुश्चेति ' मनुना,

"पितर्युपरते पुत्रा विभजेयुर्धनं पितुः । अस्वाम्यं हि भवेदेेषां निर्दोषे पितरि स्थिते ॥"

इति देवलेन च विरोधात् । न च 'भार्या पुत्रश्चे' त्यादिवद्स्वातन्त्र्याशयमिद्म् । तदानीं स्वामित्वे मानाभावात् । भार्यादिषु 'यत्ते समिधगच्छन्तीति' स्वत्वे सिद्धऽयुक्तमस्वातन्त्र्यवर्णनम् । किंच स्वोपात्तेऽपि तेषामस्वामित्वे स्वधनसाध्यवेदिककर्मोच्छेदात् श्रुतिविरोधात् । तथा सित पितुर-१० निच्छयाऽपि विभागापतेश्च । जन्मनेव स्वत्वे मानाभावाच । अर्जनक्षपतया जन्मनः स्मृतावनुकेः । तस्माज्जीविति पितिरि विभागनिषेधार्थं न मन्यादिवचनम्, अस्वार्थपरत्वापत्तेः । किंतु पित्रोः सतोः स्वामित्वमेव न । निधनपातित्यादौ तु स्वामित्वमिति प्राच्योक्तमपास्तम् । उक्तहेतुगणात् । इत्युपोद्धातः ।

पूर्वं कस्मिनित्यादिना प्रकरणार्थं संगृह्य तत्र कस्येत्यंशो महता प्रपञ्चेन प्रतिपादितः । इदा-१५ नीमितरानंशान्यतिपादायितुं मूलमवतारयाति । इदानीमिति । मूले आवश्यकोपयोगीमूलानुक्तपूरणा-नन्तरमित्यर्थः । तदिति । त्रितयमित्यर्थः ।

#### याज्ञवल्कीये ११४ श्लोकः।

पौनरुत्तयादिदोषगणानुपपत्तं परिहरन् व्याचष्टे । यदेति । चेद्थेंऽयम् । कुर्यादित्यत्र लिङ्थें न निनक्षितः । स च करणेच्छायां लाक्षणिक इत्याह । चिकिषितीति । आक्षेपादाह । २० तदेति । इच्छया स्वेच्छयेन । विभजेत् द्ायभागदानेन पृथक्कुर्यात् । तत्रावध्याकांक्षायामाह । आत्मन इति । तद्ननन्तरं तेषां मिथ ऐक्यं भेदो वेत्यत्र नामहोऽस्येति भावः । सुतानित्युक्तेंबहु-भिने न निभाग इतिशङ्कानिरासाय तद्थेमाह । पुत्रमिति । कृतैकशेषयोस्तेन पुनरेकशेष इत्यर्थः । अनुदात्तानामितिनत् । निरंकुशेति । अनियतत्वादित्यर्थः । नियमार्थमिति । शास्त्रीयत्वादिना । मन्याचेकवाक्यतयेदमुपलक्षणमित्याह । मध्यमित्यादि । साकांक्षत्वादाह । विभजेदिति । २५ उपलक्षणत्वे मानं सूचयनाह । श्रेष्ठादीति । चस्त्वर्थे । अस्य व्याख्या त्वनुपद्मेवाग्रे स्फुटा ग्रन्थे एव ।

ननु उत्तरार्धस्य पूर्वव्यवस्थापकतया योजने सर्वे वेति वासाङ्गत्येऽपि ज्येष्ठं वेति वाशब्दास-ङ्गतिः । पूर्वतो विकल्पबोधने एव तत्स्वारस्यात् । न च तथैवास्तां, पूर्वेणेच्छिकविषमविभाग-स्यैव प्रतिपादनादिति वाच्यम् । न्यूनाधिकविभक्तानामित्यनुपद्वक्ष्यमाणमूलविरोधापत्तेः । अत आह । ३० वाशब्द इति । मानववक्ष्यमाणोद्धाररहितविषमविभागपक्षापेक्ष इत्यर्थः । तथा च तस्य तत्त्वे न तद्सङ्गतिरिति भावः ।

तुर्यपादं व्याचष्टे । सर्वे वेति । समांशिन इत्यत्र प्रशंसायामिनिः । अत एव बहुवीहिणा न गतार्थत्वमित्याह । समांशभाज इति । पागवदाह । कर्तव्या इति । पिनेति भावः । अत्र 'विभागं चेत्कुर्यादि' त्यादिना यस्मिन्काले विभाग इत्यस्य संग्रहः, 'पिते'त्यनेन येन विभाग इत्यस्य, उत्तरार्धेन यथा विभाग इत्यस्येति बोध्यम् ।

विशेषमाह । अयं चेति । पितृकर्तृकविभागः । पितृक्रमायाते तु, द्रव्ये । समस्वाम्येति । तस्य च समिवभागे एव तात्पर्यम् । अन्यथोक्तरीत्या तदानर्थक्यमेवेति भावः । इच्छ्या,
पितुः । यद्यप्ययं समोऽपि स्वार्जितविषय एव तथाप्यये तस्यैव प्रतिपाद्यत्वेन तदंशे विशेषाभावात्तद् प्रकृतिरिति बोध्यम् । अत एवं विभजेदिति साकांक्षमाद्यमुक्तं, द्वितीयं तु तत्रैव तद्न्यपक्षद्वयसाधारणम् । अत एव तथोक्तं सर्वे वेति । तच्च तत्र पक्षद्वये समिवभागे एव । चत्वारो विभागस्य कालास्तत्राद्यो मूलङ्कतोक्तं इति पैतीकपूर्वकमाह । विभागं चेदिति । यदिति । जीवत्येव तिमित्रिति भावः । द्वितीयं
तद्नुक्तं स्वयमाह । अपरोडपीति । कालोऽस्तीति शेषः । तमेवाह । जीवत्येवति । निवृत्तोत ।
स्रीमुखानाभिलाषिणीत्यर्थः । पितुरिति । विभागे इति शेषः । अनिच्छायामपीति । यदा १०
पुत्रेच्छा तदेति शेषः । मूलानुकत्वाद्त्र मानमाह । यथा नारदेनेति । दिशित इत्यत्रान्वयः ।
अत इति । अत्र पितुरित्यस्य धनमित्यत्रान्वयः । अत ऊर्ध्वमित्यस्य मातापितृमरणोत्तरिमत्यर्थः ।

" ऊर्ध्वं पितुश्च मातुश्च समेत्य भ्रातरः समम् । भजेरन्पैतृकं रिक्थमनीशास्ते हि जीवतोः ॥ "

इति मनूक्तेः (अ०९१छो०१०४)। तदाह पित्रोरिति। प्रत्तासु विवाहितासु। वाऽपीति पाठः। रमणं स्त्रीसम्भोगः। तदिच्छानिवृत्तौ सत्याम्। स्पृहा द्रव्यविषया बोध्या। अत्र तदुक्तेः १५ फलमाह। अत्रोति 'मातुर्निवृत्ते ' इत्यत्रेत्यर्थः। अनेन साकांक्षत्वं निरस्तम्। मूलोक्तनारदीयस्वय-मुक्तनारदप्रथमोक्तपक्षान्यथमदितीयतृतीयान् व्युत्क्रमेण मुन्यन्तरसंवादेनाह । गौतमेनापीति । 'तृतीय ' इत्यनेन ' दिशित ' इत्यस्यानुषद्भसहितेनास्यान्वयः। कथ्वीमिति । पित्रोरिति शेषः। पितुरिति प्राग्वत्। वापीति पक्षान्तरे। एवं नारद्वाक्येऽपि बोध्यम्। वेच्छतीत्यत्राप्येवम् । तृतीय इति । गौतमेन कालो दिशित इत्यर्थः। प्रकृतक्रमे तु अस्याद्यत्वं बोध्यम्। एवं स्वयं २० पक्षद्वयमुक्तम्।

अथ तृतीयं कालमाह । तथिति । निरितिपाठे तु द्शिंत इत्यन्तेन गौतमसमाप्तिः । एवं कालद्वयं स्वयमुक्त्वा तृतीयमाह । जीवित वेच्छिति तृतीयस्तथिति । पितिर जीवत्येवेच्छिति च विषयाभिलाषुके च सित तृतीयस्तथा तृतीयोऽपि विभागकाल इत्यर्थः । तमेवाह । सरजस्काया-मिति । वस्तुत आद्यपाठ एव तथा व्याख्यातो व्याख्यात्रभिमत इति बोध्यम् । अनिच्छत्य- २५ पीति । विभागमित्यादिः । दीघेति । अचिकित्स्येत्यर्थः । चेन वृद्धत्वसमुचयः । यदि पुत्रेच्छा तदेति शेषः । अस्यापि मूलानुक्तत्वादाह । यथाह शंख इति । अकामे विभागमिनच्छिति । विपरीत-चेतसीति । अधर्मवर्तिनीत्यर्थः । 'रोगिणीय्यत्र भूमि इनिः । वेतीत्यनेन विकल्प उक्तः । एवं भागपि बोध्यम् । एतेन "कालद्वयमेव पितुरिच्छा तिमधनं च, न तृतीयोऽपीति मातुर्निवृत्ते रज-सीति पितामहाद्धिनविषयम् " इति पाच्योक्तमपास्तम् । शंखाद्विरोधात् । तस्य तन्मात्रविषयत्वे ३० मानाभावात् । तत्त्वेऽपि तत्त्वसंभवाद्धपक्रमितरोधात्व । एवं चैवं कालत्रयं पितामहधनेऽपि बोध्यम् । एतेन तत्रान्यथाव्याख्यानं तद्वक्तमपास्तम् । ११४ ॥

विभाग आदः । दृर्शितः मूलकृता । समस्यैव सिद्धान्तयिष्यमाणस्य मूलेष्टत्वमपि सूच-यन स्युक्तमेणाह । सम इति । तत्र तयोर्भघ्ये ।

द मान्त्रीमोक्तस्।

## राम्हाद्याप्टे ११५ श्लोकः।

यद्यर्थमाह । यदेति । फलितमाह । सर्वानेवेति । लिङ्ग्याविवक्षयाऽऽह । करोतीति । पत्न्यञ्च, ता अपि । अत्र बहुवचनेन पत्नीपद्स्वारस्येन च सुतसापत्नमानुरपि विभागः सूचितः । इदमग्रे स्फुटीभविष्यति । समांशका इत्यत्र अलौकिकपिक्रयावाक्ये समासान्तप्रवृत्त्या तदा तत्र टाबभावानेत्वमिति ध्वनयनाह । समांशभाज इति । 'समांशिका ' इति पाठे तु वैकल्पिकत्वात्कबभावे टापि स्वार्थिके कनि कथंचिदिष्टसिद्धिः । विष्णुरिप, 'मातरः पुत्रभागानुसारिभागहारिष्य ' इति ।

यासामिति शेषे षष्टी तबेत्याह । यासां पत्नीनामिति । एवमग्रेऽपि वक्ष्यति योगीश्वर एव आधिवेद्निकस्थले । तथा च स न्यायः सर्ववान्यत्र बोध्यः । अत एव १० अर्धशब्दो न समांशविभागपरः किन्तु यावता समत्वं तत्पर इति बोध्यम् । अस्य वचनस्य विषमविभागे पत्न्यंशाभावे दंपत्योः पुत्रविद्वभागे च न तात्पर्यं गमकाभावाद्नियामकत्वाच, किंतु समांशे एव । एको वाशब्दो मिथो विकल्पे द्वितीयो वाशब्दो वक्ष्यमाणित्रादिविकल्पे तबेत्यभिपेत्याह। भित्रीधनं, तत्त्वेन मनुमूलकृद्वादिना प्रतिपादितं वक्ष्यमाणं रिक्थादिभिन्नम् । नन्वेवं तद्दौ-नेऽभावः स्याद्त आह । दस्ते त्विति । तात्पर्यमयमेव विशेषः ।

- १५ तदेतद्भिषेत्याह । यदा श्रेष्ठेति । उद्भृतोद्धारादिति बहुवीहिः । सुतानामिति भावः । समं स्यादश्रुतत्वादिति न्यायेनाह । समानेवेति । स्वं पत्नी । अत एव अत्र दितीये मानमाह । यथाऽऽ हिति । 'गृहे यत्परीभाण्डं पीठमृन्मयष्टणदादि उपकरणं, अलङ्कारश्च आभूपणं धृतं, तत् भार्याया, अंशै इत्यर्थः । 'रथः पितुः परीभाण्डं च गृहे उभयं पितुः अलङ्कारो भार्याया ज्ञातिधनं चेत्येके इदं भार्याया १ इति तु हरदन्तः ।
- २० अत्र यदि कुर्यादित्यनेन पितुरिच्छया विभाग उक्तो न पत्नीच्छया। सोऽपि पुत्रांशपृथक्करणपर्यन्तो न स्वतः। ' जायापत्योर्न विभागो विद्यते ' इत्यादिपागुक्तापस्तम्बादिना तत्र सहत्वोत्तया
  तस्यासम्भवात्। " अर्द्धो वा एष आत्मनो यः पत्नीति " श्रुतेश्च । अयमेवाशयः ' अनीशास्ते हि
  जीवतोरिति ' मानवस्य । पुत्रतस्तस्या अन्तरङ्गत्वात् । किन्तु बहुवचनाद्नेकत्वे पत्नीनां प्रतिपत्निपुत्रांशतुल्यांशान्संगृह्य स्वांशेन सह स्थाप्याः । एवं च ताभ्यः पृथक्कृत्यांशो देय इति नें । अत
  २५ एव समांशका इत्येवात्रोक्तं, न तु तद्वत् पत्नीश्च विभजेत् समिमिति । अत एव धनविभागाभावे नापस्तम्बादितात्पर्यं, किन्तुके इति पाक्पतिपादितं प्रतिभूपकरणे व्याख्यात्रा । मद्नरत्नेऽप्येवम् ।
  एवं च यथा जीवत्पितृकविभागे आद्यपक्षे एवमन्यपक्षद्वये दत्ते त्विति न्यायेन निर्वाहवत् पुत्रेच्छयेव
  पित्विनिर्वाहो बोध्यः ॥ ११५ ॥

### याज्ञवल्कीये ११६ श्लोकः।

३० शक्तस्येत्यस्य व्याख्या स्वयमेवेति । शेषमाह । पित्रिति । अस्यैव व्याख्या अनि-च्छत इति । तत्पद्स्वारस्यादाह । असारमपीति । अपिना सारस्यापि समुचयः । तत्र हेतुमाह । तत्पुत्रेति । इति हेतोरित्यर्थः ।

१ फ-क-वचनरपान्पत्र विषमविमार्गे । २ ख-तदर्थनि । ३ फ-उद्घारः । ४ क-फ-अञ्चा देय इति । ५ विश्वेषमाह।

उत्तरसङ्गितमाह । ज्येष्ठं वेति । तत्र तिसन्सित । उद्धारादीति तृतीयासमासः । अन्यथेन्यस्य प्राप्तेत्यादिः । शास्त्रोक्तर्यनेन वक्ष्यमाणस्यापि संग्रहः । निषेषस्यास्पष्टत्वादाह । निषेषार्थमिति । तत्तात्पर्यकिमित्यर्थः । अन्यथा " विभागं चेत्पिता कुर्योदिच्छ्या विभनेत्सुतान् " इत्यर्थेनेव
तृतीयकोटिसिद्धेरेतस्य मनूकोद्धाररिहतिविषमविभागपक्षस्य चानर्थक्यं स्पष्टमेव । एवळ्च 'पिता चेत्पुज्ञान्विभनेत्तस्य स्वेच्छा स्वयसुपानितेऽर्थे ' इति वेष्णवम् । 'प्रदानं स्वेच्छ्या कुर्योद्धागं चैव ततो प्र
धनात् ' इति वार्हस्पत्यम् । "पिता चैव स्वयं पुज्ञान्विभनेद्धयिति स्थितः । ज्येष्ठं श्रेष्ठविभागेन
यथा वा स्वमतेन तु " ॥ इति नारदीयं (अ०१३ श्लो०४) च व्याख्यानृवर्णितम्लाश्यकमेव ।
एतेन "इदं पृथगैच्छिकविभागपरं नोद्धारादिविभागपरामिति " इच्छ्या विभनेत् सुतानित्येतत्परिमिति
विष्णुनारद्वादिविरोधात्तथा विज्ञानेश्वर्व्याख्यानं चिन्त्यमिति मन्द्रोक्तमपास्तम् । यत्तु तेन यद्पि
मनुः पुत्रेभ्यो दायं व्यभनदित्यविशेषेण श्रूयते इति समविभागसाधकं विषमविभागनिषेषकं चोक्तं १०
तद्पि "नित्यानुवाद्मविधिमाहुर्न्यायविदः" इत्यनेन निराकृतमित्युकं तत् तत्त्युज्ञादर्शनमूलकमान्ध्यसूचकम् । तस्यान्यनिराकरणपरत्वं तत्र हि स्पष्टं प्रागुक्तं च । एतेन स्वानिते पितुरैच्छिकवेषम्यमपि
शास्त्रीयत्वेन धर्म्यमित्यिप तदुक्तमपास्तम् ।

"जीवद्दिभागे तु पिता नैकं पुत्रं विशेषयेत् । निर्भागयेन चैवैकमकस्मात्कारणं विना "॥ इति । कातीयं तु निर्दोषपुत्रपरमिति तद्पि न विरुद्धम् । भवद्भिमतासाधकं च । न्यूनाधिक- १५ शब्दो विभागपर इत्याह । न्यूनोति । अत एव—

" समन्यूनाधिका भागाः पित्रा येषां प्रकल्पिताः । तथैव तैः पालनीया विनेयास्ते स्युरन्यथा ''॥ इति बृहस्पतिः ।

" पित्रैव तु विभक्ता ये समन्यूनाधिकेन च। तेषां स एव धर्म्यः: स्यात्सर्वस्य हि पिता प्रभुः "॥

इति नारदश्च (अ० श्लो०१३।१५) सङ्गच्छते । धर्म्य इत्यस्य व्याख्या शास्त्रोक्त इति । २० अञासम्बद्धत्वाद्धहुशेषपूरणेन व्याख्यातम् । नन्वेवं तिन्निषेधानुकत्या प्रतिशाभङ्गः, अत एवव्यवच्छेद्य-माह । अन्यथा त्यिति । तस्याशीस्त्रोक्तवे त्वित्यर्थः । ' अयथाशास्त्रेति ' पाठः । अन्यथेति पाठेऽपि स एवार्थः ॥ ११६ ॥

एवं पितिर जीवित विभागस्य कालज्ञयमुक्तम् । अस्य पितिर जीवितित्येतत्तात्पर्येणोक्तवचनेनैव संग्रहः । अधुना तन्मरणानन्तरमपि चतुर्थो विभागकालः तज्ञ सम्मितिमाह । यथाहेति इति प्रति- २५
पादकं मूलमवतारयाति । इदानीमिति । तत्कथनानन्तरमित्यर्थः । एवं च मुनिना तेषां द्विधैव
संग्रहः कृतः, पितृजीवनोपलक्षितः तन्मरणोपलक्षितश्च । तज्ञ पितिर जीवितीत्यज्ञ ज्ञयः पक्षाः
पितिच्छा तद्निच्छा च अन्त्याऽप्युक्तरीत्यां द्विधिति बोध्यम् । 'सर्वे वा स्युः समाशिन ' इत्यनेनापि
स्चितमिद्म् । अतस्तज्ञ पक्षद्वयं समविभागे एवेति बोध्यम् । तृतीयेऽपि पूर्वतो विशेषमाह ।
नियमं चाहेति ।

LE LE TOTAL MENTINE CHARLES

१ फ-तस्य शास्त्रोक्तते ।

# गाउद्यापे ११७ श्लोकः [ पूर्वार्दः ] ।

पिता च पिता चेत्यर्थनिरासायाह । मातेति । ऊर्ध्वामित्यस्य साकांक्षत्सादाह । प्रायणादिति । मरणादित्यर्थः । सुता इति । अञापि माग्वत् सुतश्च सुतौ च सुताश्चेत्येकशेषो बोध्यः । पितृव्यादितो विभागे आद्योपयोगो बोध्यः । कन्यासु विशेषस्य वश्च्यमाणत्वादञ्च पूर्वञ्च च न कन्याया प्रहणमिति बोध्यम् । ननु एवकाराभावेन तावन्माञोक्त्या कथं नियमलाभः । अतो नियमस्वरूपमेव निष्कुष्याह । सममेवेति । ' सर्व वाक्यमिति ' न्यायेनेति भावः । अभेद्भ्रमनिरासाय वश्च्यमाणार्थसिद्धये च व्याच्छे । रिक्थामिति ।

नतु जीविद्दिभागे आद्यपक्षे मूलेन विषमविभाग उक्तः, पित्रोक्षध्वं विभागे मन्यादिभिः स उक्त इति तयोक्भयपामण्यादिकल्पे समविषमविभागयोन्ध्ययो समिनत्यस्य सममपीत्येव व्याख्यान-१० मुचितं, न तु सममेवेतीति । तथा च प्रकारनियमपरतया व्याख्यानमयुक्तमिति शङ्कते । ननूर्ध्वामि-त्यादिना नियम्यते इत्यन्तेन । ऊर्ध्वमिति । पागुक्तमिदं तस्य तदूर्ध्वत्यपिपाद्किमिदं लिखितम् । एवमग्रेऽपि । पित्र्यं पितुरागतम् । अशोषतः सार्वविभक्तिकः प्रथमान्तात्तिः। शेषाः ज्येष्ठभिन्नाः । उपजीवेयुः पितृवक्तस्यानुसरणं कुर्युः । इदं ज्येष्ठेन जातमात्रेणेति च मानवम् । " विभूयाद्वेच्छतः सर्वान् ज्येष्ठो भ्राता यथापिता । भ्राता शक्तः किनिष्ठो वा शक्त्यपेक्षा कुलस्थितिः॥ १५ "सर्वेच्छया किनिष्ठोऽपि शक्तः सन् विभृयात् परान् । " इति नारदात् (अ० १३ श्लो०५) इच्छाविषयकम् ।

एवं च मानवे ज्येष्ठत्वमुपलक्षणम् । इदं व्याचष्टे । सर्वस्मात् द्रव्यंसमुदायादिति । विभजनीयादित्यर्थः । उद्धार इति शेषः । कर्मणि घञ् । उद्धियमाण इति तद्र्यः । योगरूढोऽयम् । तस्य मध्यमणिन्यायेनाप्रेऽप्यन्वय इति । चादिस्वारस्यादाह । सर्वेति । यद्यपि स्यादित्यपकर्षेणा- त्ययस्तत्र तथापि फलितमाह । ज्येष्ठायेति । तत्कर्तृभिरुदासीनेरित्यर्थः । मिथो वा । इतीति । तथोक्त्वा इत्यर्थकेन तेन मानवेन ततस्तथा कुर्वतां स द्शिंत इत्यर्थः । एवमञ्रेऽपि । ततोऽविश्वं इत्यं सर्वे समं विभज्य गृह्णीयुरिति भावः । प्रकारान्तरेण मनूक्तमेर विषमविभागमाह । तथेत्यादि- विभजतामित्यन्तेन । तथेत्यस्य द्शिंत इत्यज्ञान्वयः । एषां ज्येष्ठादीनाम् । इयं वक्ष्यमाणा । अस्य व्याख्या । ज्येष्ठस्येति । इदमपि पकरणाज्ज्येष्ठादेः कर्तृत्वाच तद्नन्तरपरमेवेत्याह । एत्रोरिति । नन्वेवमपि मूलानुकत्वाचास्ति तज्ञ विषमविभाग इत्याशङ्कायां दृष्टान्ततयाऽऽह । जीवदिति । एतेनास्याज्ञानुपयोग इत्यपास्तम् । स्वयमेव मूलकृतेव । एवं च मूलकृतः स नैवेष्टः कापीति दुर्वचमित्येतत्तात्पर्यकमिद्मिति स्मार्तत्वाविशेषाद्विनिगमनाविरहात्तज्ञ तद्भावो दुर्वचः । तद्वह । अत इति ।

सत्यमित्यादिना तत्सत्ताऽङ्गीकृतेत्यसत्त्वलक्षणमप्रामाण्यं निरस्तं यद्यपि तथाऽप्यननुष्ठानलक्षण-१ मप्रामाण्यमेवेत्याह । लोकोति । ननु तस्य लोकविद्दिष्टत्वेऽपि लोकतः शास्त्रस्य प्राबल्यात्कथमन-नुष्ठेयत्वम्, अत आह । अस्वर्यमिति । धर्म्यमपि लोकविद्दिष्टं नाचरेत्, यतोऽस्वर्ये तदित्यर्थः । अस्वर्यत्वं तद्भावे हेतुः । एवं च शास्त्रेणेव तथोकत्वाचानुष्ठानं तस्येति भावः । अत्र स्मार्त्तं दृष्टा-

१ उ-इह । २ फ-अनुरक्षनम् । ३ भनसमुदायादिति मिताक्षरापाठः ।

न्तमाह । यथिति । मौलमेवेद्म् । श्रीतं तमाह । यथा वेति । मित्रावरणदेवताकां वशां वन्ध्याम् अनूबन्ध्यां गामालभेतेत्यर्थः । इयमनूबन्ध्येष्टिरापस्तम्बेन सोमे उद्वसानीयोत्तरमामाता । सांप्रतं तेनैव तत्स्थाने आमिक्षाया उक्तत्वात्तद्ननुष्ठानं याज्ञिकानामिति बोध्यम् ।

एवं सामान्येनोक्तविषमित्रागाभावः कलावेव न तु पूर्वत्र, दृष्टान्तबलेन तथैव लाभादिति सूचयन्सोद्धारिविषमित्रागाः कलिनिषिद्धोऽपीति प्रतिपाद्यन् उक्तश्रीतस्मार्त्तदृष्टान्तयुतं विषम- प्रविभागपितिषकं स्मार्त्तभाद्धवचनमप्याह । उक्तं चेति । नियोगो विधिः । यथाऽन्यः श्रौतान्यो विधिवाक्यविहितधर्मो महोक्षायालम्भनरूपो नेत्यर्थः । नेत्यस्योभयञ्चान्वयः । 'धर्मो नो शति पाठांतरे नियोगधर्मो 'ऽपुञां गुर्वनुज्ञात ' इत्यादिविहितो देवरादितः सुतोत्पिक्तपो बोध्यः । नो इति निषधे । अनुबन्ध्येति । वशालम्भनरूप इत्यर्थः । अपि वेति समुचये । तथोद्धारेति । सोद्धारेत्यर्थः । अपिना द्वितीयसंग्रहः । सम्प्रति कलो । अत एव १० माधवीये ब्रह्मपुराणम्—

आपस्तं नोऽपीत्यस्य निराकृतवानित्यत्रान्वयः । यद्पि जीविज्ञत्यतः प्राक् एकधनेन ज्येष्ठं पुत्रं तोषयित्वेत्युक्तं तथापि न तद्दिषमांशपरं किन्तु तत्परितोषपरम् । अत एवैकेन प्रधानेन केन-चिद्धनेन गवादिना ज्येष्ठं पुत्रं तोषयित्वा तृप्तं कृत्वेति व्याख्यातम् । तदेतद्भिषेत्याह । स्वमतमिति । १५ भीवमनमनं ११ च परिवाप्य प्रजाभावे यः प्रत्यासन्तः सपिण्डः तदभावे आचार्य आचार्याभावेऽन्ते-

"ऊढ़ायाः पुनरुद्वाहं ज्येष्ठांशं गोवधं तथा । कली पंच न कुर्नीत भ्रातृजायां कमंडलुम्॥" इति ।

" क्षीबमुन्मत्तं " च परिहाप्य पुत्राभावे यः प्रत्यासनः सपिण्डः तद्भावे आचार्य आचार्याभावेऽन्तेवासी हृत्वा तद्र्थं धर्मकृत्येषु चोपयोजयेत्, दुहिता वा सर्वाभावे राजा दायं हरेतेत्युक्त्वा चेति शेषः।
कृरत्नेति । अत्र संवादि ज्येष्ठ एवेति मनुः । प्रागुक एव । गौतमोऽपि " सर्वे वा पूर्वस्य स
चेतरान् विभ्यादिति " । देशेत्यादि । किस्मिश्चिद्देशिवशेषे । " सुवर्ण कृष्णा गावः । कृष्णं भौमम् । कृष्णं भूमौ जातं भौमं धान्यमाषादि । कृष्णायसमित्यन्ये । इदं सर्वं ज्येष्ठस्य पुत्रस्यांशः । २०
रथः यत् गृहे परीभाण्डमुपकरणं पीठादिकं तद्पि पितुरंशः । धृतोऽलंकारो भार्याया अंशः । ज्ञातिभ्यः
पित्रादिभ्यश्च यद्धनं लब्धं तच्च भार्याया अंश इत्येके मन्यन्ते" इति हरदन्तः । विप्रतिषिद्धं

विरुद्धम् । स्वयमेव आपस्तम्ब एव । मनुरिति । तैत्तिरीयश्रुतिवाक्यमिद्म् । तत्र पुत्रेभ्य इति बहुवचननिर्देशाद्दायमित्येकवचननिर्देशाचाविशेषेण श्रवणमित्यर्थः। किश्च तद्ग्रे, अथापि तस्माज्ज्येष्ठं पुत्रं धनेन निरवसाययतीत्येकवच्छूयते, अथापि नित्यानुवादमविधिमाहुन्यायविद् इत्युक्तम् ।

सिद्धान्तमुपसंहराति । र प्राचिति । श्रुतीति । मुनिरिति श्रुतीत्यर्थः । सममेवेति । अत एव जीवद्विभागे स एवोत्तरपक्षत्वेनोक्तः स एवाग्रेऽवलम्बितश्च । ज्येष्ठं वेति तु तद्दयुगान्तर-विषयकम् ।

" जीवद्दिभागे तु पिता नैकं पुत्रं विशेषयेत् । निर्भागयेच चैवैकमकस्मात् कारणं विना ॥ "

इति कातीयमप्यत्रानुक्लम् । अत एव न्यूनाधिकेति पागुक्तस्य नारदादेश्व तथा कर्तव्यत्वे ३० न तात्पर्ये किन्तु यदि विशेषाद्शीं शास्त्रोक्तिमात्रेण दैवात्पता शास्त्रोक्तपकारेण विषमविभागं करोति तदा न निवर्त्तते इत्यत्र तात्पर्यम् । परमतात्पर्ये तु पागुक्तमेव व्याख्यात्रेति न तदिरोध इति वोध्यसः।

यद्यप्यत्र पित्रोक्तर्षिमित्युक्तं, मानवेऽपि 'ऊर्ध्व पितुश्च मातुश्चे'त्युक्तम्, इत्युभयमरणानन्तरकाल एव लम्यते, प्रत्येकमरणानन्तरमित्यर्थे तु पितिर जीवित मातृमरणोत्तरमि विभागापितःः,
तथा च पितिर मृते मातिर सत्यां इष्टविभागानापितःः, तथापि प्रागुक्तयथाश्चतगौतमात् 'पितुक्तर्धमिति ' वक्ष्यमाणम्लाच पितृमरणमेव मुख्यं निमित्तम् । अन्वाच्यशिष्टं मातृमरणम् । एवं च पितृप मरणं मातृमत्वासत्वात् द्विविधमपि प्रमीतिपितृकत्वेन गृह्यते इति तत्परमिद्मिति न वक्ष्यमाणविरोधः । यथा चायेन तत्तात्पर्येण त्रयाणां संग्रहः तथाऽनेन इयोः अत एव जीवत्पृतृकविभागः प्रमीतिपितृकविभागश्चेति देधेवाभिग्रुक्तव्यवहारो न तु प्रमीतमातृक इति तृतीयोऽपि ।
न 'चानीशास्ते हि जीवतोरिति ' मानवे उक्तत्वाद्यभयमरणयोरेव निमित्तत्वलाभ इति
तद्केवाक्यत्वा यथाश्चतम्लसौष्टवे कथं तत्परत्वमिति वाच्यम् । सर्वथाऽन्यथादुष्परिहरवक्ष्यमाण१० विरोधपरिहाराय जायापत्योरित्याद्यापस्तम्बस्य धनविभागसत्त्वेऽि पुत्रवत्पृथक्करणाभावे अर्धाङ्गत्वेन
सर्वत्र सहत्वेन तात्त्पर्यस्य प्रागुक्तत्वेन तदीत्या पुत्रतः पत्न्या अन्तरङ्गत्वेन तस्या अपि तद्वत्ताधारणस्वत्वेन मातृसत्त्वे विभागाभावे यथेष्टविनियोगे स्वामित्वाभावस्तेषामिति मन्तुतात्पर्यात् । अयमेवाञ्चयः
'पित्रोक्तर्थतिति ' वद्तो मूलस्यापि । ' अस्वतन्त्राः पितृमन्तो मातर्यप्येवमेवेति ' शांस्वस्यापि ।

" पितर्श्वपरते पुत्रा विभजेरन् पितुर्धनम् । अस्वाम्यं हि भवेदेषां निर्दोषे पितिर स्थिते ॥ "

१५ इति वेवलात् । यद्या पितिर जीवित आस्तां तत् तद्जितविषयम् । एवं मातिर सत्यां तद्धनिषयम् । किञ्च पिनोरित्यस्याये फलमनुपदं वक्ष्यते । एतेन ' दंपत्योर्धनविभागो नास्ति पागापस्तम्वेनानुक्तत्वादिति ' हरद्त्तोक्तमपास्तम् । एवं च पितिर मृते मातिर सत्यामपि विभागो- अस्येव । परं तु न स मानिच्छयेति न तस्यास्तन्न कदाऽपि कर्नीत्विमिति बोध्यम् ।

तद्यमर्थः । जीबिद्दभागे त्रयः कालाः । पितुरिच्छा द्विविधा यद्ति द्वौ । आये पिता कर्ता, २० तद्व्ययोः पुत्रः सः । अंशसाम्यं सर्वत्र । आये मातुः पितुश्व समांशौ, एवं तद्व्ययोरिष । तत्र मातुः स्निधनादाने । द्वे त्वर्द्धम् । मृतविभागे द्वौ कालौ मातुसत्त्वास्त्वास्याम् । तत्र कर्ता पुत्रः । अंशसाम्यमेव । आये मातुरिप समांशः । सर्वथा मातुरिच्छा न नियामिका, नापि तस्याः कर्तृत्वम् । इद्मपि अस्थावरविषयं, ग्रुद्धस्वार्जितविषयं, पैतामहमिश्रस्वार्जितविषयं च । ग्रुद्धपैतामहे तु विशेषो वक्ष्यमाण इति न तत्र मातुरंश इति ।

२५ तथा च प्रमीतिपितृकविभागः क्रमागतस्य पित्रर्जितरहितस्य, तिमश्रस्य, शुद्धिपत्रिजितस्य वा धनस्येति त्रेघा । पित्रर्जितस्यापि पाणिश्रहणतः पूर्वमूर्ध्वं वेति द्विघा । तत्राद्ये तद्विभागव्यवस्था- वाक्येषु— " पैतृके न विभागार्हाः सुताः पितुरिनिच्छतः ।

कमागत गृहे क्षेत्रे पितापुत्राः समांशिनः ॥ न तत्पुत्रैभीजेत्सार्द्धमकामः स्वयमर्जितम् । "

—इति गौतमीये।

" पैतामहं हतं पित्रा स्वशक्त्या यदुपार्जितम् । विद्याशौर्याद्यवाप्तं च तत्र स्वाम्यं पितुः स्मृतम् ॥ " प्रदानं स्वेच्छया कुर्याद्रोगं चैव ततो धनात् । तद्भावे तु तनयाः समांशाः परिकीर्तिताः ॥ "

इति वार्हस्पत्येषु च पुत्राणामेव पित्रा सह भोगितया निर्देशात् तद्न्यविभागपरयोरेव "यदि दुर्यात् " " पितुरूर्धम् " इत्यनयोर्वाक्ययोर्मातुर्विभागश्रवणाच माता न विभागहरणाही । युक्तं वैतत् । विभागशब्दो हि भावव्युत्पत्त्या रूढ्या चान्यस्वाम्यसहभावेन विभजनीयार्थसामान्यस्थितस्य स्वस्वाम्यस्य तद्सहभावेन तदेकदेशे व्यवस्थापनमभिधत्ते । श्वशुरादिधने च स्नुषादीनां न जन्मतः स्वाम्यम् । मिथः संबन्धस्य प्रागभावात् । भाविन एव तस्य जन्मान्तरसाधारण्येनातिप्रसञ्जकत्वात् । नापि पाणिग्रहणतः । उत्तरपरिग्रहे एव ततः साहित्यैसिद्धेः । नापि भर्तुर्मरणतः । तस्य तद्जनकत्वात् । तत्वे वा पुत्रस्वाम्येन प्रतिबन्धात् । अन्यथाऽपुत्रस्विपतृव्यपत्नीनां पौत्राणां च मिथो विभागप्रसक्तरेनकपितृकाणामिति मूलं विरुध्येत । अत एव पाणिग्रहणतः प्राक् पित्रजिते १० द्वव्येऽपि न मातुर्विभागः । " सममंशं हरेदिति " सिद्धस्वाम्यस्येव हरणप्रतीतेः । असिद्धस्वाम्ये हि द्वादामुयादित्यादिकमेव युक्तमिति बोध्यम् । स्थावरे उभयविधेऽपि सत्सु पुत्रेषु तत्स्वाम्यस्य वक्ष्य-माणिदिशाऽपायसंभवाचेति केचित् ।

ऊर्ध्व तु पित्रजितं स्थावरमस्थावरं चेति द्विधा । तत्र केचित् । तत्र 'यद्यपि माताऽप्यशं समं हरेदितिं' उभयसाधारणं तथापि 'न दत्तं श्लीधनमि' त्यस्यात्राप्यन्वयाद्स्थावरे एव पर्यवस्यति। तथा १५ हि । कारकविभाक्तिस्तावन्नरपेक्ष्यं गमयत्युत्सर्गत इति सर्वसंमतम् । एवं भन्नी श्वश्चरेण वा निरपेक्षेण यस्यै न द्त्तें।ऽशः सा अंशं हरोदित्युक्तौ यस्यै निरपेक्षेणामुनाऽमुना वा यद्दत्तं तस्याः स एव तादृशो भागो नान्य इत्युक्तं भवति । सोऽयं यदि पुत्रांशेन समस्तद् पूर्वं द्त्तोऽप्यसाविदानीं वैभागिको भवति । यद्यधिकस्ततस्तद् तत्सम एव वैभागिकोऽधिकस्तु दत्त एव । अत एवाऽननुमतद्त्ते तस्मिन् अिकश्चित्करतया स्थितस्य पुत्रस्वामित्वस्य पुत्रांशसमानादेवांशादिदानीं निवृत्तिर्न त्वधिकारात् । यदि २० न्यूनस्तदा मान्नन्तरेण अवैषम्याय तादृशेन विभाज्यद्वन्येण समः कार्यः । अत्र च 'दत्ते त्वधी प्रकल्ययेदिंग्त्यस्य दत्तं यथा समम् अंशान्तरेण भवति तथा अंशतामापन्नं कुर्योदित्यर्थः । एवं च 'माता सममंशं हरोदिंग्त्यस्य पुत्रस्वाम्यासंसृष्टस्वाम्यकं कुर्यादित्यर्थः । तत्र स्थावरस्यायोग्यत्वाद्कमैत्वम् । "भर्ना प्रीतेन " "माणिमुक्ता " "पितुः प्रसादात् " "स्थावरं द्विपद्म् " इति व्या-स्यानुक्वविवयेग्यः ॥

" सौदायिके सदा स्त्रीणां स्वातन्त्र्यं परिकीर्तितम् । विकये चैव दाने च यथेष्टं स्थावरेष्वपि॥

" भर्तृद्यं मृते पत्यौ विन्यसेत्न्नी यथेष्टतः । विद्यमाने तु संरक्षेत् क्षपयेतु कुलेऽन्यथा ॥

" अपुत्रा शयनं भर्तुः पालयन्ती गुरौ स्थिता । भुजीतामरणं दान्तां दायादा जर्ध्वमाप्नुयुः"॥

इति कातीयाञ्च जीवत्सु पुत्रेषु कमागते इव पित्रजिंतेऽपि स्थावरे तत्स्वाम्यस्य सर्वथा निवृ-त्तेरवगमात् कालान्तरे स्वाम्यान्तरोत्पत्तौ गौरवात् । एवं सति च दानविकययोरनुत्पत्तिमीदृग्विषे ३ • विषये न दानं न च विकय इत्यादीन्यनुवद्न्तीत्यिप लाघवस् । अन्यथा निषेषं कुर्वन्त्यतिकमे दुरितकल्पकानि स्युः ।

१ का साहित्यासिद्धेः । २ क-पुत्रता (१) शेन ।

गौतमोऽपि—' मातरः पुत्रभागानुसारभागहारिण्यः । अनूढाश्च दुहितर ' इत्यत्र सुसहशप्यीर्थ समझब्द्मपहाय मन्दसहशपर्यायमनुसारशब्दं प्रयुक्षन् ऊढां दुहितरं च समुश्चिन्वजमुमर्थे बोतयिति स्म । मन्द्साहृश्यस्यान्दासंस्कारस्य चास्थावरेणैव निर्वाहात् । मन्द्साहृश्यमपि भागिभेदाद्भिवते इत्याह—

#### अङ्गिरा व्यासश्च-

"तद्भावे तु जननी तनयांशसमांशिनी । समांशा मातरस्त्वेषां तुरीयांशा च कन्यका ॥ "असुतास्तु पितुः पत्न्यः समानांशाः प्रकीर्तिताः । पितामह्मश्च ताः सर्वा मातृतुल्याः प्रकीर्तिताः " ॥इति । जननी सवित्री । मातरोऽनपत्याः । कन्यकाऽनूदा आतृभागचतुर्थाशं संस्काराय लभते इत्यर्थः । पितुरूर्ध्वमित्यत्र माताऽनपत्योति हलायुधः । आपस्तम्बश्च 'स्रियो भर्तुर्मातुः पुत्रेम्यश्च १० भागं नेच्छन्ति 'इत्यादिकं तु साम्प्रतव्यवहारविरुद्धम् ।

इत्थं च पत्न्यः कार्या इत्यादाविष स्थावरे भर्तृघने पत्न्याः पुनेः सह विभागासंभवादंशरुब्दः स्थावरान्यपर एवेति न स्थावरांशः पत्न्याः । भर्तृदायो भर्तृस्वत्वेन स्नीस्वत्वाश्रयो इव्यम् । तम्र दिधा । मृते भर्तृर्यधिकार्यन्तराभावात्स्नीस्वत्वाश्रयो, जीवत्येव भर्तरि तत्संबन्धाश्रयेण वा स्नीस्वत्वाश्रयो, जीवत्येव भर्तरि तत्संबन्धाश्रयेण वा स्नीस्वत्वाश्रयः । तत्र प्रथमे स्थावरादन्याद्वयुक्तीत गुरुसमीपे स्थिता भर्तुः शब्यां पालयन्ती समयं क्षिपेत् । स्थावरमधिकृत्याह भुक्तीतामरणाद्य दायादा आप्नुयुः । दितीये त्वाह विद्यमाने तु संरक्षेत् व्यये भर्तुरनुत्रां पालयन्ती तद्धनरक्षां कुर्यादिति कातीयं व्याकुर्वन्प्रकाशकारोऽप्यमुमेवार्थमनुमन्यतेस्मेन्त्याद्वः । वस्तुतस्तु मूलाग्रद्धया सर्वमग्रद्धमित्युभयत्र तुल्यतेवेत्युक्तम् । स्फुटीभविष्यति चामे इति दिक् ॥

## गहाद्वाये ११७ श्लोकः। (तृतीयः पादः)

- २० सङ्गतिमाह। **मातेति।** अनुवृत्त्या व्याचष्टे। **मातुरिति।** पकृतत्वादाह। **मातृकृतेति।** एतेन।
  - " पुत्र: किनेष्ठो ज्येष्ठायां किनिष्ठायां च पूर्वेजः । कथं तत्र विभागः स्यादिति चेत्संशयो भवेत् ॥
  - " एकं वृषभमुद्धारं संहरेत स पूर्वजः ॥ ततोऽपरे ज्येष्ठवृषास्तदूनानां स्वमातृतः ॥
  - ज्येष्ठस्तु जातो ज्येष्ठायां इरेह्न्यभषोडशाः । ततः स्वमातृतः शेषा भजेरिजिति घारणा ॥
  - " सहरास्रीषु जातानां पुत्राणामविशेषतः । न मातृतो ज्येष्ठचमस्ति जन्मतो ज्येष्ठचमुच्यते ॥
- २५ ' जन्मज्येष्ठेन चाह्नानं सुबद्धाण्यास्वपि स्मृतम् । यमयोश्चेव गर्भेषु जन्मतो ज्येष्ठता स्मृता ॥ "

इति मानवम्, (अ० ९ श्लो० १२२।१२३।१२४।१२५।१२६)।

- 'यद्येकजाता बहुवः समाना जातिसंस्यया । सापलास्तैविभक्तव्यं मातृभागेन धर्मतः" ॥ इति बाह्यस्यस्य '' सवर्णा भिजसंख्या ये स्वभागस्तेषु शस्यते "।
- हत्योभयं च युगान्तरिक्यिमिति स्चितम् । एतेनोद्धारं विना समाञ्जाधकत्वेन विवमांशपर-तया व्याख्यादादेव्याख्यानम्बक्तिवादपास्तम् । स्मृत्यर्थाज्ञानात् ।

नन्वस्य तद्पवाद्त्वे शेषमृणाादिति व्यर्थम् । न च मात्रशे तत्ताफल्याय तद्वपादानिमिति बाच्यम् । ताभ्य ऋते इत्येकवाक्यतया तस्य दुाहित्रभाविषयतया साफल्यात् । अत आह । अत-श्चेति । तद्विशेषेणोक्तेश्चेत्यर्थः । ऋणापाकरणावशिष्टमातूधनेऽपवादवशात दृहित्सन्ते तत्संबन्धित्व-लाभेन पुत्रकर्तृकविभागानर्हावेऽपि समत्वे न्यूनत्वे चावशेषाभावेनापवादापवृत्त्या दुहितूणां विधमानत्वेsप्यनिविकारात्त्रत्र सामान्यवचनस्यैव पवृत्तिरिति भावः । ननु यथा दुहितुषु सतीषु ऋणावशिष्टं तत प्रत्रविभागानहै, तथा सित समं न्यूनं च सुतरां पुत्रविभागानहै, तस्यावर्यदेयत्वात्, अत आह । एतिति । एवं च तैरेव गृहीत्वा ऋणं देयमिति भावः । एवं वाचनिकं वैषम्यं स्मृत्यन्तरलब्ध-यक्त्या समर्थयते । युक्तामिति । ग्रुके इत्यस्योभयञान्वयः । एतेन वैपरीत्यादिशङ्का निरस्ता । एवं पुत्रादिकर्तृक**वि**षयत्वे पितरि जीवति पुत्रकर्तृकविभागवन्मातरि तन्मरणोत्तरं जीवति तद्धने जन्मतः स्वत्वेऽपि दुहितृकर्त्वको न विभागो नापि मातुकर्त्वको वचनाभावात १० किंत तथा स्वेच्छया यहत्तं तत्तदीयमेव । अत एव वक्ष्यैति 'पितृभ्यां यस्येति '। भार्या-धनमविभाज्यमिति प्रागुक्तं तत्तु तत्पद्स्वारस्यात् पतिकर्तृकविभागविषयकमिति न विरोधः । तमभि-श्रेत्य विशेषमाह । तत्र चेति । दुहितृविषयेऽपीत्यर्थः । ननु दुहितूणामित्यस्योक्ततुल्यार्थत्वेन सामा-न्येन तेनैव सिद्धेः अप्रतानामित्यादि व्यर्थमिति कथमस्य विशेषबोधकत्वमत आह। अस्यार्थः प्रत्तेति । पत्ता विवाहिता । अपत्ताऽनूढा । प्रतिष्ठिता सधना । अपतिष्ठिता निर्धना । तथा च तत्रापि विशेष- १० बोधकत्वाच वैयर्थ्यमिति भावः । एवार्थचशब्दस्योभयत्रान्वय इत्याह एवेति ।

शङ्कते । दुहित्रिति । क इति । सामान्यवचनं त्वन्यविषयकिमाति नात्र पद्वितिरिति मन्यते । पदार्थमुक्तवा वाक्यार्थमाह । दुहितृणामिति । सूचितमेवाह । एतच्चेति । सिद्धिमिति । अर्था-तिसद्धिनित्यर्थः । तद्वद्यमपि तस्यैव विषय इति भावः ॥ ११७ ॥

# याज्ञवल्कीये ११८।११९ श्लोकौ।

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अविभाज्यमिति । विभागदाढ्ययिव । अत एव प्रकरणसङ्गतिरिति भावः । अत्र षाऽपिशब्दौ विकल्पे । चैयेति चेति च पाठान्तरम् । पित्रित्यत्रैकशेषः उक्तयुक्तेरित्याह । मातेति । अत्र विरोधो नाश एवेत्याह । द्वव्यायिनाशेनेति । यदिति । किंचिदिति शेषः । मूले तथैव पाठात् । अन्यदिति मूले पाठे अञ्चापि अन्यदिति शेषः । पितृद्वव्यभिचमिति तद्र्थः । तद्भेदानाह । मैत्रामि-त्यादिना । लिङ्क्यांविवक्षयाऽऽह । भवतीति । एवमभेऽपि ।

'क्रमादिति ' द्वितीयपद्यप्रतिकम् । अथ व्याच हे । पित्रिति । नन्वेवं पूर्वैरिवोद्धारः कुर्ती न कृतो ऽत आह । असामर्थ्येति । अभ्यनुज्ञाया अभावे देयमेवेत्याह । इतरेति । तात्पर्यार्थमाह । उद्धतेति । एवमग्रेऽपि । तत्र विशेषमाह । क्षेत्रे चेति । चस्त्वर्थं । तत्र च क्षेत्रे इति पाठान्तरं युक्तम् । तेषां मध्ये तद्दिषये इत्यर्थः । सर्वेषाम् उद्धर्त्रीदीनाम् । यथाभागमिति । सर्वस्या भूमेस्तुर्योशमुद्धर्त्रे दत्त्वा शेषं तेन सह सर्वे यथांशं गृह्णियुरित्यर्थः । क्रमादित्यस्योद्धरणान्वये फला- ३० भावेन मूलैकवाक्यतया च क्रमादिति वचनस्थप्रतीकं गृहीत्वा शेषं पूर्यित । अभ्यागतिमिति ।

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तुर्यपादं व्याचिष्टे । तथेति । एवेत्यस्यात्रान्वयेनाह । विद्ययैवेति । विनिगमनाविरहात्मृत्यन्तरैकवाक्यतया चास्यार्थत्रयमाह । वेदाध्ययनेनेति । अस्य मुख्यत्वादिति भावः । चार्थमाह । तद्वपीति । एवं च तथा पाठ एव तत्संमतः ।

इदं चान्यत्, पितृस्वयंदायादिपद्स्वारस्यात् आतॄणां मध्ये एकेनार्जितविषयं सर्वविभागेषु ९ एवं बाद्दीयशौर्यविषयेऽपि बोध्यम् । एवं प्रकारेण पित्रजिते तु अग्रे वक्ष्यते ।

तत् स्वतन्त्रम् अव्यवहितविशेषणं सर्वविशेषणं वेत्येवैम् उक्तं व्याख्यानं साधारणमपि प्रकरणः संगत्यर्थं स्वाभिमतपरमिति दर्शयति । अत्र चेत्यादिना । अत्र च मूलवाक्ये च । अन्यदर्थमाहं । किंचिदिति । एवंपाठ एव वा । तत्र मन्वाधेकवाक्यत्वार्थं च तृतीयम् । सर्वशेष इति । विभागानर्हत्वेन विशिष्य वचनोपात्तानां मैत्रादीनां सर्वेषां शेषोऽयमश इत्यर्थः । अत्रश्च, तस्य सर्व- शेषत्वे च फलितमाह । तथा चेति । विरोधेनत्यस्य व्याख्या प्रत्युपकारेणोति । यद्दा प्रत्युपकारे विरोधो नाशो हेतुः अत एव तस्य प्रत्युपकारत्वम् । ब्राह्म वाचनिकिपितृद्रव्यविरोधाभावादाह । आसुरादिति । पित्रा चेति । अत एव सर्वविभागेष्वित्युक्तम् । विभजनीयमिति । अत एव विभागपकरणसङ्गतिः । स्पष्टार्थं वाच्यार्थमाह । न तथेति । पितृद्रव्याविरोधेनोपार्जितं मैत्रादि न विभजनीयमित्यर्थः ।

१५ न केवलिमिदं स्ववचनोपात्तसर्वशेषो अपि तु अन्यद्पि स्मृत्यन्तरेषु यद्विभाज्यमुक्तं तस्याप्ययं सर्वस्य शेषो मैत्रादीनामुपलक्षणत्वात् । एवं च तादृशमेत्रादेर्यथा विभाज्यत्वं तथा-ऽन्यस्यापीत्याह । पितृद्वव्येति । केचित् तभ । तथा सित मैत्राद्यन्येषां स्मृत्यन्तरोक्तानामेव तत्वलाभेअपि पितृद्वव्येति । केचित् तभ । तथा सित मैत्राद्यन्येषां स्मृत्यन्तरोक्तानामेव तत्वलाभेअपि पितृद्वव्येति । केचित्र तस्य दुर्वचत्वात् । तस्माद्स्य तद्न्यसर्वोपलक्षणत्वं वाच्यम् । यद्दा मैत्रादेस्तत्त्वे तुल्ययुक्त्यैतिसिद्धिरित्याह । पितृद्वव्येति । कचित्ररिहितः पाटः । २० अयमेव युक्तो व्याख्यातृशैलीस्वरसिसिद्धश्च । पुनर्वाच्यार्थकथने फलाभावश्च । तदा तथेत्युक्तरशेष एव न स्वतन्त्रम् । किञ्चेति तदर्थः । आशयस्तुक्त एवेति युक्तोअयम् ।

केचित्तु न तथेत्येव पाटः । तथाऽप्युत्तरशेषत्वमेव । न स्वातन्त्र्यमित्यर्थः । पितृद्रव्याविरोधेनेत्यस्य सर्वशेषत्वादेव वचनोपात्तमैत्रादिमात्रशेषत्वादेव यथा तद्विरोधेनोपार्जितानां मैत्रादीनां विभाज्यत्वं तथा मैत्राद्यन्यत्वात्पितृद्रव्यविरोधेन प्रतिग्रहोपार्जितस्यापि न विभाज्यत्वमित्यर्थः । तस्य तद्शेषत्वेन १५ स्वातन्त्र्ये तु तत्रापि विरोधेनोपार्जिते विभाज्यत्वापत्तिरिति भाव इत्याहुः । तन्न । अनुपदं वक्ष्यमाण-तथेत्यादिग्रन्थविरोधापतेः । ग्रन्थशैल्यस्वरसाञ्च ।

ननु तथैवास्त्विति तत्रेष्टापत्तिरिति माऽस्तु तस्य तच्छेषत्वामिति स्वातन्त्र्यमेषास्तु बाह्मणवसिष्ठ-म्यायेन तस्य मैत्रादिभिन्नपरत्वसम्भवाचात उक्तं दृढयन् आह । अस्य चिति । तस्य तद्शेषत्वे किञ्चित्यद्विद्वारस्याययत्तद्विरोधेनार्जितं तत्सर्वमिविभाज्यितिर्यर्थस्य वचनव्यक्त्या लाभेन साधारणे-३० नानेनैव तादृशप्रतिग्रहलब्यवत् तादृशमेत्रादेरविभाज्यत्वे सिद्धे पुनस्तद्भिधानानर्थक्यमित्यर्थः । बाह्मणवसिष्ठन्यायस्य तु न अयं विषयः । सति गमकेऽन्ययानुषपत्तौ च तत्प्रवृत्तेः । नैवं प्रकृते भिन्नविषयत्या । अन्यथा तत्साफल्यं शक्ते । अस्यति । अपिः पूर्वसमुद्धये ।

१ फ-नेत्यन: क्षान्धद्वपद्वजरानिरोधो नाञ्चो हेतुरुकम् । २ फ-कलाळामेति ।

अविभाज्यत्वादिति फलरूपहेतौ पश्चमी । तत्प्रतिपादनार्थतयेत्यर्थः । अविभाज्यत्वायेति पाउस्तु सुगम एव । राज्ञचारिति । शिष्टाचाररूपप्रमाणविरोध इत्यर्थः ।

ननु श्रुत्यादीनां पूर्वपूर्वपानस्याकत्वेन वचनादाचारस्य दुर्बलत्वेनेद्मयुक्तम्, आचारेण स्मृतिकस्यनेऽपि क्छप्तस्मृतेक्चिटित्युपस्थितेः पावस्यमेवोति चेन्न। आश्रयानवन्नोधात्। तथाहि। नाधो अगतिका गतिः। अनाधेनैवेति न्यायात्। सोऽपि न हि दुर्बलं दुर्बलमित्येव नाधते। किंतु विरोधे प्रनिर्वकाशत्वे च। विरोधश्चेकच्च मिथो भिन्नोक्त्या नैवमच। 'अनाधेनैवोपपत्तौ नाधो न न्याय्य १ इति न्यायेन मैचादिवचनस्यास्मदुक्तरीत्योपपत्तेः। अत एव न निरवकाशत्वमपि। एवं चानर्थक्यप्रतिहतान्नामिति न्यायेन विपरीतो नाध इति मदुक्तरीत्या तस्य तथार्थकत्वे शिष्टाचारविरोधः सम्यगेवेति दिक्।

न केवलमाचाराविरोधोऽपि तु मैत्रायन्तर्गतविद्यालम्धविषये स्मृतिविरोधोऽपीत्याह । विद्याः लब्धे इति । तद्शे इत्यर्थः । तद्वाह । कुदुम्बमिति । विद्याध्ययनं कुर्वतो भ्रातुर्योऽन्यो भ्राता १० तस्य कुटुम्बं पोषयित सोऽश्रुतोऽपि सन् वेद्शास्त्राध्ययनरहितो मूर्खोऽपि सन् तस्माद्विद्याधनात्तद्र्जितः विद्याय लब्धाद्धनाद्धागमंशं लभेतेत्यर्थः । असुतोऽपीऽति पाठान्तरम् । अत्र कुटुम्बभरणस्य धनग्रहणे हेतुत्वोक्त्या औपाधिकी विद्याधनांशप्राप्तिन भ्रातृत्वेन स्वाभाविकीत्युक्तम् । यदि कथमप्यर्जितस्य विद्याधनस्य तत्त्वेनाविभाज्यत्वं मूलाभिमतं स्यात्तद्दा तद्धेतुकविभागकथनं नारद्वियं विरुध्येत । तस्मात्तस्य स्वतो न ताहशस्य विभाज्यत्वाविभाज्यत्वं किं तु अविरोधेऽविभाज्यत्वं विरोधे विभाज्यत्वमिति विरोध- १५ स्वरूपमेव नारद्देन हेतुत्वेनोक्तमिति सिद्धान्ते एकवाक्यता सिद्धा । मूले पित्रित्युपलक्षणम् । किन्तु यदि स्वाभाविकी विद्याधनांशपाप्तिनार्दाभिमता भवेत्तर्धि तस्य हेतुत्वोक्तिनिरिर्थका स्यात् । एवं च विद्याधनस्य यथाकथित्रद्विजीतस्य न स्वतो विभागार्हता । अन्यथा पितृद्वव्यविरोधेनाप्यर्जितस्याविभाज्यत्वेभवोचितमिति विभागकथनस्यैवासङ्गतिरिति भावः ।

अत्राश्चतोऽपीत्यनेन सूचितम्, अश्चते पित्रादिद्रव्यविरोध एव भागहेतुः । सश्चते तु तदस्वं २० विद्यावस्त्वमपि भागहेतुः । अत एव----

#### कात्यायनः---

"नाविद्यानां तु वैद्येन देयं विद्याधनात्क्वाचित् । समविद्याधिकानां तु देयं वैद्येन तद्धनम्" इति ॥
वैद्यो विद्यावान् । अयं च सिद्धान्तेऽविभाज्यत्वेन पाप्तस्यापवादः । इदमनुपद्मेव स्फुटीभविध्यति । एतेन नारदीयं कातीयापवाद् इति मंदोक्तमपास्तम् । कातीयेन आविभाज्यस्यैव तस्य २५
लक्षणकरणात् । प्रकरणात् । तथैव च व्याख्यात्रोक्तम् । अन्यथा तद्विशेषणासङ्गतिरेव स्यात् ।
एवं च विद्याधनमन्यद्पीति नारदादिविरोधो व्याख्यातुरिति बोध्यम् ।

मनु विभक्त आतृस्थलेऽपूर्वार्थकोषकं तत् । किञ्च मैत्रादिवचनपासस्य सर्वथाऽविभाज्यस्वस्याप-वाद्कं सिद्धान्ते तहत्तिहिशेषे तिदिति न विरोधोऽतोऽत्र दोषान्तरमाह । तथाविद्यति । परेति । पित्रादिभिन्नोद्नाद्यभ्यवहरणेनेत्यर्थः । अन्यतः पित्रादिभिनात् । तथा च पित्रादिहत्व्याविरोधेन या ३० विद्या तिक्षनाद्यक्या तथा यत्याप्तं धनं तिहिद्यापातं धनं नान्यत् ईहरामेवाविभाज्यम् । अतोऽन्यथा तु तिहिद्याधनमेव नेति तिहिभाज्यमेवेति कात्यायनतात्पर्येण तथाऽर्थस्यैतिहिरुद्धत्वं स्पष्टमेवेति भावः ।

१ फ-तदुक्तरीत्या । क-अस्मदुक्तरीत्या ।

तस्माश्वारद्विरोधाभावेऽपि कातीयाविरोधेन तथाऽर्थस्य दुर्वचलेन तथा सार्थक्याभावेन तस्य तद्

तत्र दोषान्तरमाह । तथेति । प्रतिग्रहेति । पितृद्रव्याविरोधेनेत्यादेः तदा पागुक्तरीत्या यद्यात्मितृद्रव्येत्यावर्थेन अदृष्टार्थदानिक्रयासम्प्रदानभूतस्यैव प्रतिग्रहीतृत्वेन प्रतिग्रहलब्धस्य पितृद्रव्या-विरोधेनोपार्जितत्वस्यापि सम्भवेन तस्याप्याविभाज्यत्वापत्तौ वृद्धव्यवहारिषरोध इति भावः । तस्मान्मैत्रा-दिसर्वसृत्युक्तविषये विरोधाविरोधकृतद्वैविध्येऽपि प्रतिग्रहिवषये सर्वथा विभाज्यत्वमेवाचारिसद्धम् । तिद्वषये स्मार्तिनिषेधस्तु याजनाध्यापनलब्धवन्न क्षौष्युपलभ्यते इति तत्त्वम् ।

पतदेवेति । पितृद्रव्याविरोधेनोपार्जितस्य मैत्रादिशेषत्वमेवेत्यर्थः । अनुपद्मिति । अनुपद्मिति । अनुपद्मिति । अनुपद्मितित्यर्थः । अनुपद्मितित्यर्थः । अनुपद्मिति । अनुपद्मितित्यत्र विभक्तिविपरिणामेन तद्नुपद्मता यत् १० विद्यया लब्धं तत् पूर्वं चोभयमपि दायादेभ्यो न देयमित्यर्थन पितृद्वव्यविनाशरूपविरोधाभावेन यद्विद्यालब्धं अमलब्धं च तद्विभाज्यमिति सिद्ध्या मैत्रादिगणान्तर्गतविद्याधनस्य तथात्वात्तस्योप-लक्षणत्वेन मैत्रादीनामपि तथात्वमाविष्कृतमिति भावः ।

# मानवे — "स्वयमीहितलब्धं च नाकामो दातुमहीति । "

इत्युत्तरार्द्धपाठो, यच स्वयमीहितं वाञ्छितं सत् मिञादिभ्यो छन्धं तद्कामोऽनिच्छत् १५ आञादिभ्यो न दातुमहितीत्यर्थको मेधातिथिकल्पतर्वादिधृतो न युक्तः । अनेकस्मृतिव्याकोपापत्तेः । ' छन्धं तन्ने' त्यर्वाचीनपाठस्त्वयुक्ततर एव । यद्या । तद्या तत् पेतामहाविपयकमस्तु । एवं च आतृ-भागशेषमाहानुपन्नितीत्यिपि तदुक्तं तथेति ज्ञेयम् । आदिना कृष्यादि । तस्मात्पितृद्वव्याविरोधेने-त्यादिना वचनद्वयेन एकआञार्जितं मैञादिकमन्यस्य नांश इति मतिपादितम् । पितृपदद्यादादि-पदस्वारस्यात् । तथा च न पिञाद्यर्जितपरमिति सिद्धम् । एतेनायमाचारो आतृस्रहेन पोर्हेषबुद्व्या १० वा अन्यत्र तथा दर्शनेन तन्मूलको वा ।

यत्किं चित्पितरीति मानवस्यै एवं तात्पर्यम् । 'पितेव पालयेत् पुत्रा' निति मानवात्पितापुत्रव-मावेन तद्वज्ज्येष्ठधने कनिष्ठाधिकारः । पित्रजिते ऽविद्वषामपि ज्येष्ठाजिते तु विद्वपामेवेति विशेषः । इदं च ' पितरि पेते '' इति ' ज्येष्ठ '' इति ' यवीयसाम् '' इति ' विद्यानुपालिन '' इति चोक्त्या लभ्यते । तस्माद्विभक्तार्जितत्वमात्रेणाविभक्तभात्रन्तरस्य भवतीत्युक्तमेवेति पाच्योक्तमपास्तम् । १५ पत्किचिंदित्यस्य वैद्यर्थापत्तेः ।

नन् नैतयुक्तं, पैतामहे पैतुके च धने पुत्रादेर्जन्मनेव स्वत्वेऽपि भ्रातुर्भात्रजिते तद्भावेनं भ्रातुमासमैत्राविधने यद्येन प्राप्तं तत्तस्येनेति प्रसिद्ध्या विभागपासेरेवाभावेन तद्विभाज्यमिति निवेधक-वनस्येवोकस्यासङ्गतेरित्याश्येनाह । ननु पितृद्रव्येति । प्राप्त्यभावे हेतुमाह । यदिति । यत इत्यादिः । एवं वान्यदीये स्वत्वमेव नेति भावः । अवक्तव्यत्वे हेत्वन्तरमाह । भातिति । ३० को हार्ये ।

दकर्वेनिमतं दूषियतुं मैत्रादीनां विभागमाप्तिं तन्मतेनाह । अत्र कश्चिक्ति । विभाग-प्रापकं मेनुविचनमाह । यतिकचिदिति । अधिगेष्टछति, प्राप्नोति । तत्र धने । बदीति ।

१ फ-न को अप । १ फ-इतीत्यस्य । ३ फ-पुरुषबुद्ध्या । ४ सा-फ-मानवस्य तु एक्स् ।

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यदि यदीयांसी विद्यानुपालिनः विद्यासंरक्षकाः विद्रांस इति धावदित्यर्थः । विद्यानुसासिन । इति पाठान्तरम् । तुर्यपादेनेदं सूचितम्, यदि तेऽविद्रांसस्तदा नेति ।

तथा च गौतमः (अ. २८ सू. २८)। " स्वयमार्जितमवैद्येभ्यो वैद्यः कामं न द्वादिति ।"। नारकोऽपि (अ० १३ श्लो० ११)

" वैद्योऽवैद्याय नाकामो द्यादृंशं ततो धनात् । पिज्यं द्रव्यं समाश्रित्य न चेत्तेन तदाहृतम् ? ॥ इति ।

कात्यायनोऽपि पागुक्तः । अस्य वचनस्यार्थकथनेन मैत्रादिविभागपाप्तिपरत्वमाह । ज्येष्ठो विति । ज्येष्ठशब्द्श्रयाणामुपलक्षणम् । यवीयःशब्दो ज्यायसामपि । प्रेते इति । अप्रेते इत्यस्यापि । तथा च कालद्वयमपि लब्धम् । तथा च ज्येष्ठाचन्यतमो यित्किश्चिद्धनं यथाकथंचित् प्राप्नोति तस्मा-द्वनादन्येषामपि भ्रातॄणां पितिर स्थिते मृते च भागोऽस्ति यदि ते विद्वांस इत्यर्थपरेण तेन मैत्रा-दीनामपि विभाज्यत्वे प्राप्ते पितृद्वव्येत्यनेन निषिध्यते इत्यर्थः ।

मैत्राद्धिनस्य वृद्धव्यवहारसिद्धस्यैवाषिभाज्यत्वस्यानुवादकं मूळं, न निषेधकं, येन प्रास्यपेक्षा स्यादित्यारायेनाराङ्कां निराद्धर्वन् तन्मतं खण्डयति । तदस्यदिति । अत्र मैत्रादिविषये । न केवळ-मेवमत्रैव आपि तु अन्यत्रापीत्याह । लोकिति । आद्येन एवेन शास्त्रसिद्धत्वव्यवच्छेदः । द्वितीयेन एवेन निषेधकत्वव्यवच्छेदः । क्षचिद्गन्यथाऽपि वक्ष्यमाणत्वादाह । प्रायोगिति ।

भवतु निषेधकम्, तथापि वचनान्तरेण प्राप्तिः न तदुक्तरीत्येति 'तुष्यतु दुर्जन 'न्यायेनाह । १५ अथवेति । बाईस्पत्यमाह । समवेतैरिति । सर्वाभिप्रायं बहुवचनम् । अत एवाह । सर्वे इति । तत्र धने । नन्वेवमपि विनिगमनाविरहोऽत आह । अतश्चेति । तव दुराग्रहस्य तथीपपत्ते-श्चेत्यर्थः । उत्येष्टादीति । अविवैक्षायां कारणाभावात् । तथा च विनिगमकं स्पष्टमेवेति भावः । तदाह द्यामोहेति । नन्वेवं का तस्य सिद्धान्ते गतिः अत आह । अत इति । त्वदुक्तार्थासम्भवादि-त्यर्थः । पितुरिति । मरणादिति होषः । अविभाज्यत्वेनेति छेदः । उक्तस्य मैत्रादिधनस्य । इति २० इत्यनेन । पितरि मृते ज्येष्ठेनार्जितान्मेत्रादिकात् भागं कनीयांसो लभन्ते यदि ते विद्यांस इत्यर्धस्तस्ये-ति भावः । अत एव पितृद्वव्याविरोधनापि ज्येष्ठो विद्यादिना धनमर्जयित तत्र कनिष्ठानामपि भागो यदि ते विद्यासरता इति कल्पतस्मधातिथिपभृतयः । एवं प्रागुक्तकातीयादेरिप सिद्धान्ते तद्यवाद्वं बोध्यम् ।

न्यूनतां निराचष्टे । तथाऽन्यदिति । अथान्यदित्यपपाठः । अपिना--
( विद्याधनं तु यद्यस्य तत्तस्यैव धनं भवेत् । मैत्रमौद्वाहिकं चैवं माधुपर्किकमेव च ॥ "

इत्यस्य संग्रहः । मधुपर्कदानेन पूज्यतया यद्यव्यम् । प्रचक्षते इति । 'पुस्तकमिति ' मन्द्रभृतपाठस्तु व्याख्यातृकल्पतरमेधातिथ्याद्यसंमतत्वादुपेक्ष्यः । वस्नमित्यादि क्रमेण व्याचष्टे धृतानामित्यादिना । मुले जातावेकवचनामिति भावः । एतेन वस्नपत्रालंकारोद्कानामेकत्वं विविध्यात्यात् । स्वसं च सममूल्यम्, न तु महार्विमिति ' मेधातिथिकल्पतर्वाद्युक्तमपास्तम् । उद्देश्य- ३० विशेषणत्वात् । "धृतं वस्नमलंकार " इति कातीये धृतत्वस्यैव तदुभयसाधारणस्योक्तेश्व । तदेत-द्भियत्याह । धृतानामेद्यति । एवेन अधृतव्यवच्छेदः । तत्र पुत्रादिस्थले आह । यदिति । लेक्पिसद्यमपीदम् । अथ पितृस्थले आह । पित्रिति । पितुः मरणात् । कथ्विमिति । अनेन

रहोकः ११९४

जीविद्दिभागे स्वांशवतान्यपि पित्रेव ग्राह्माणीति सूचितम्। विभजतामिति 'कृत्यानामिति' (व्या. सू.२-३-७९) कर्तिरि षष्ठी । पितुस्तदादिकं च यत्तिदियन्वयः। आदिभ्यामन्यदुपकरणम् । अर्चने श्राद्धभोत्तेव कर्म । श्राद्धभोत्रेके इति जातावेकवचनम् । तत्स्थानस्थितविप्रमात्राशयकं वा । तथाव्याख्याफलमाह । अभिनवानीति । '' सर्वं स्याद्वाहनं यानं युग्यं पत्रं च घोरणम् '' (अमरः २-८-५८) इति ' पत्रं वाहनपक्षयोरिति ' (अमरः २-३-१७९) च कोशादाह । वाहनमिति । आदिना मन्त्र्यादि । वस्त्रवदेव शाद्धभोत्रे देयम् ।

विशेषमाह । अञ्चादीनामिति । जीविनामिति प्राग्वत् कर्तरि पष्टी । बहुत्वे सित तैस्ते विभजनीया इत्यर्थः । ज्येष्ठस्येति । तस्यैव स भाग इत्यर्थः । अत्र वेषम्यमंशं प्रत्यपर्याप्तत्वस्यं न विषमसंख्यस्य । एवं हि एकं तस्मै दत्त्वा समसंख्यस्थळं ऽशविभागस्य पर्याप्तत्वात्तेस्ते विभाज्याः । विषमसंख्यस्थळविशेषे स्वरूपेण सर्वविभागस्य दुष्करत्वात् द्रव्यद्वारा विभागस्य च विक्रयनिषेषेन निषिद्धत्वादंशपर्याप्तान् विभज्य वैषम्येणावशिष्टमश्वादि ज्येष्ठायेव द्यात् । तद्सम्भवे तु सर्वं ज्येष्ठायेव द्यम् । यथा चत्वारोऽश्वाः पुत्राः त्रयः पश्च वेति । अस्मिन्यकरणे वेषम्यमेवमेव । तादृशाङ्गीकारे तु बहुव्याकोपः स्यादिति भावः । एवं रीतिरन्यत्रापि बोध्या । अत्यवहिते मानमाह । अजाविकः मिति । पश्चदंद्देकवद्धावः । भजेत् विभजेत् । अत्र हेतुमाह । अजेति । यत इत्यादिः । पन्नर्थः कृष्यनिविधं धनम् ।

" धनं पत्रनिविष्टं तु धर्मार्थ यजिरूपितम् । उदकं चैव दाराश्च निवन्धो यः कमागतः ॥ " इति कातीयात् ।

" विक्रीयवस्नाभरणं ऋणमुद्शाह्य लेखितम् । कृताचं चाकृताचेन परिवर्त्य विवर्तयेत् । " इति बार्हस्पत्याञ्चेति कल्पतरुः ।

१० मूले सामान्ये नपुंसकिमित्याशयेनाह । अलंकार इति । भृत इति । अत्र सर्वत्र भृतः इत्यादि पाठान्तरम् । अर्थस्तुल्यः । अधृत इत्यस्य व्याख्या । साधारण इति । विभाज्य एवेत्यपपाठः । यद्यपि " दिवचनिवभज्योपपदे " (व्या. सू. ५-३-५७) इति निपातनेन सोऽपि साधुस्तथाप्यपादाने एव नान्यत्र । न चैवं 'कृत्यल्युट " (व्या. सू. ३-३-११३) इति पाप्तस्य ण्यतो वाधेन कथं विभाज्यशब्द्सिद्धिरिति वाच्यम् । णिजन्तात् " अचो यता " २५ (व्या. सू. ३-१-९७) सुसाधत्वात् । न चार्थभेदः । "निवृत्तप्रेषणात् धातोः पाकृतेऽथे णिजिष्यते।" इति 'णेरणाविति (व्या. सू. १-३-६७) सूत्रे हर्यादिभिर्युत्याद्नात् । निपातनान्यवाधकानीति तु न युक्तम् । ण्यति कृत्वस्य दुर्वारत्वात् । तत्पक्षस्यैवाभावाच । एतेन 'स्मृतिप्रयुक्तविभाज्यशब्दस्य साधुत्वं चिन्त्यामिति ' हरदन्तोकमपास्तम् ।

मनुमेवाह । पत्याविति । अत्र पत्याविति स्नीभिरिति चोपलक्षणम् । अत एव यो येनेति 
३० पूर्वप्रन्थाविरोध इति बोध्यम् । इति इत्यत्र । उक्तविशेषे मानमाह । अलमिति । एतेन धृतस्तथैव स्थापितो विभागकाले पुत्रादिविभागमध्ये न देयः किंतु पतिभागत्वेन यथा सैव परिद्ध्यात् ।
न तु पत्यो जीवति यो धृतः स मृतेऽन्यविभाज्य इति अदृष्टार्थतापत्तेः । एतेन सर्वथा ऽविभाज्यत्वमपि निरस्तम् । तत्सौन्द्र्यलोभेन भजने तु पातित्यम् । जीवतीत्युक्त्या मृतेऽन्येनापि ब्रहणे न दोम
इति मन्दोकमपास्तम् ।

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'कृताच ' मित्यत्र न कर्मधारयः । कृतशब्द्वैयर्थ्यापत्तेः । किं तु अचेन कृतमिति राजद्-म्तादिः । अचशब्दो यौगिकस्तयोग्यपर इत्याह । तण्डुलमोद्केति । तत्संबन्धिमोद्केत्यर्थः । आदिना अपूरादि । यथेति । किन्त्वित्यादिः । एवमग्रेऽपि ।

विषममिति । अनेन समत्वे विभागः सूचितः । एवमग्रेऽपि । उक्तहेतोः प्राप्तिमात्रमाह । सूल्येति । एवमग्रेऽपि । योग्यतया दास्य इत्युक्तेः फलं सूचयन्विशेषमाह । अवरुद्धास्त्विति । पित्राऽवरुद्धास्तास्त्वित्यर्थः । तत्त्वरूपमाह । स्वैरीति । अपिना विषमाणां समुच्चयः । समानामपि तासां तत्त्वे मानमाह । स्त्रीषु च संयुक्तास्विति । संयुक्तासु उपभुक्तासु अवरुद्धास्तिति यावत् । तथैव पाठांतरं वा । किंतु मानृवत्पर्यायेण परिपाल्या इति भावः । संयुक्तानां विभागनिषधा-दिवाहितानामर्थसिद्ध एवासौ । एतेन दासीतुल्यतया तासां व्याख्यानं मन्दादिकृतम्, अन्यतरपरतया तद्नयकृतं चापास्तम् । विनिगमनाविरहेणोभयोरिप महणात् । अत एव सामान्योक्तिः ।

क्षेमश्चेति । 'क्षेममिश्चयाम् ' इत्यमरः (१।४।२६)। समाहारद्दन्दः । इष्टं तदाख्यं, पूर्त्तं तदाख्यम् । अस्य साधारणत्यादाह । पेतृकामिति । अपिना पैतामहसमुचयः । तस्य तच्छे- षत्वेऽप्येतद्शेषत्वेन साधारण्यादेवाह । पितृद्वव्येति । अपिना ऽविरोधेनार्जितसंग्रहः । साधारण्ये मानमाह । यथाहोति । एतेन मैत्राद्यन्वयवद्स्यापि तद्विशेषणं स्यात्, तुल्ययुक्त्या वा छभ्येते- त्यपास्तम् । सामान्येनानेन तस्य वाधात् । मेधातिथिकल्पतरुमतमाह । योगेति । तद्न्यमतमाह । १५ छत्रेति । सर्वपक्षे तदुत्पन्नो छाभो विषमश्चेद्विभाज्य एव ।

' योगक्षेमवतो लाभः समत्वेन विभज्यते । ' इति **वार्हस्पत्यात् ।** योगक्षेमवतः तद्धेतोः ।

प्रचारशब्दे करणे 'हलश्चेति' विजित्याह(व्या.सू. ३।३।१२१)। गृहेति । ननु गृहारामादिपनेशानिर्गममार्गस्याविभाज्यत्वोक्त्या गृहारामादेविभाज्यत्वं लब्धं, तच स्मृत्यन्तरिकिद्धमित्याक्षिपति । यस्विति । २०
द्यासोऽप्येवमानुपूर्विक एव । ' न वास्तुनि विभागो विद्यते ' इति प्रजापातिरिप । उक्तचतुष्ट्ये संवादोऽप्यनेन दार्शितः । परिहरित । तिहिति । अञादिशब्द्याह्यो वैश्य एव न शूद्ध इत्येषे वक्ष्यते । वृह्हस्पातिमाह । न प्रतीति । एतिहरिते । अञादिशब्द्याह्यो वैश्य एव न शूद्ध इत्येषे वक्ष्यते । वृह्हस्पातिमाह । न प्रतीति । एतिहरिते क्ष्याक्ष्यमे वक्ष्यते । इदं च शब्द्शक्तिस्वारस्यादिच्छ्या पितृकर्तृकविभागविषयम् । अत एव पुत्रकर्तृकविभागमाञे तद्भावोऽर्थिसद्धः पित्र्यद्वव्यविषये । पैतामहिवषये तु वक्ष्यति । अत एव भूरत्र स्वयमर्जितं भूमिमात्रप्रधानं प्राकाराङ्ककं क्षेत्रम् । भूरि- २५ त्येतन्मात्रोक्तेः । गृहद्गनादितो भूमिद्गनस्य भेदेन कथनाच । एवं च क्रमागतस्य गृहादेवी नात्र अहणम् । अत एव वृहस्पितिः—

" ब्रह्मदायं गतां भूमिं हरेयो ब्राह्मणीसुतः । गृहं दिजातयः सर्वे तथा क्षेत्रं क्रमागतम् ॥ "इति ।

ब्रह्मद्ायः प्रतिग्रहः । एवं चैतन्मूलकपाग्लिखितमद्नोऽयुक्त एवेति ज्ञेयम् । न चैवं रीत्या व्यासिवरोधपरिहारेऽपि प्रजापतिविरोधस्तद्वस्थ एवेति वाच्यम् । तस्य वृहस्पतिवाक्यानुरोधेन प्रति- ३० ग्रहार्जितभिन्नगृहविषये स्वार्जिते विशिष्य निषेधकत्वात् । अत एवोक्तप्रजापत्यनुरोधेन मानवे योग-

१ फ-निषेधकत्वात्।

क्षेमशब्देन वाऽस्त्विति यत् मेधातिथिना व्याख्यातं, तदिपि पितुरनिच्छायाम् । तदिच्छायां हु तत्रापि तद्मवत्येव । अत एव----

"कमागते गृहे क्षेत्रे पितृपौत्राः समांशिनः । पैतृके न विभागार्हाः सुताः पितुरिनच्छतः ॥ ॥ इति द्यासः । 'सर्वथा क्षेत्रं वास्तुक्षेत्रमिति 'कल्पतस्त्रक्तमयुक्तमेव । अत एव काला-यनेन—" दृश्यमानं विभज्येत गृहं क्षेत्रं चतुष्पदम् " । इति तयोभेदेनोपादानं कृतम् । एवं द्यासवाक्येऽप्युक्ते कृतमिति बोध्यम् । आविभाज्यमस्तीति च दशेयन्न कृत्वाद्याज्यशब्द्-स्योपयुक्तं लक्ष्यार्थमाह । याजनेति ।

पितृद्रव्येत्यादिनाऽविभाज्यं वक्तुमारच्यं मूलकृता न सर्वमुक्तमिति न्यूनतापरिहाराय विभाज्यः १० प्रकरणे एव वक्ष्यमाणमिप स्मराति । पितृप्रसादेति । तस्यापीत्यर्थः । 'पितृभ्यामित्यादिनाः मूलकृत्। पूर्वं तु नारदीयत्वेनोक्तम् । इदं च पुत्रकर्तृकविभागविषयकमेविति बोध्यम् । अत्राविभाज्यत्वं व्याख्यात्रा विधिनिषेधमुखाभ्यामुक्तम् । तत्राविभाज्यस्वरूपकथनं विधिः, विभाज्यत्विनिरासो निषेधः । तथा सत्यत्रैवोक्तमि वक्ष्यमाणोपयोगि स्मराति । नियमेति । त्राह्मणः प्रतियहादिनेत्यादीत्यर्थः । अनन्तरमेवेति । कस्य विभाग इत्येतद्विचारावसरे शङ्कातः प्राप्तं सिद्धान्तिनेति भावः । निरासि १५ न्यषेधि । तथा सत्युत्तरसङ्गत्यर्थमन्यवहितफलितं पागुक्तमुपसंहरति । पितृद्रद्येति । तथा चेत्यादिः । अत एव महाप्रकरणसङ्गतिः । तत्र तथाऽर्जितमेत्रादिविषये । तमवाह । येनेति । एषां भ्रातृणां मध्ये ॥ ११८ ॥ ११९॥

## याज्ञवल्कीये १२० श्लोकः।

अस्य विसष्ठोक्तभागद्वयस्य । सामान्यार्थेत्यस्य व्याख्या अविभक्तानामिति । समुत्थाने २० इत्यस्य व्याख्या सम्यगिति । तत्र हेतुक्कः । कृषीति । एतद्र्थमेव नियमातीत्युक्तम् । शेषमाह । केनचिति । आतूणां मध्ये इत्यादिः ।

उत्तरसंगतिमाह । पित्रये द्रव्ये इति । यथाकथंचित्तर्गयमात्रद्रव्ये इत्यर्थः । पुत्राणां तेषामेव । एवमग्रेऽपि । पैतामहे तन्मात्रे । विभागे इति । जन्मनेव स्वत्वेन तस्य प्राप्तत्वादिति भावः । अनेकपितृकाणामिति । अनेक पितरो येषामित्यर्थः । भित्रपितृकाणामिति यावत् । एकपिता-२५ महानेकपुत्ररूपभात्रनेकपुत्राणामिति परमार्थः । प्रमीतिपतृकाणामिति पाठान्तरम् । अनेकपित्य-काणामिति त्वपपाठ एव । शङ्कापूर्वे व्याच्छे । यद्यपीति । तृतीयान्तात्सार्वविभक्तिकस्तिसित्याह । पितृद्वारेणैयेति । त्वर्थे पदाः । नियामकिमदं वचनिति भावः । तद्यवच्छेयमेवाह । वस्विति । स्वस्वक्तपेत्यर्थः । फिलतमाह । एतदिति । अविभक्ता इति छेदः । तत्र । भ्रातृणां मध्ये ।

न्यूनतानिरासाय उक्तन्यायमन्यत्रातिदिशति । तथेति । धियमाणेषु अवस्थितेषु । ३० जीवत्स्विति यावत् । धृङ् अवस्थाने । तदुक्तं कात्यायनेन ।

" अविभक्ते सुते मेते तत्सुतं रिक्थभागिनम् । कुर्वीत जीवनं येन लब्यं नैव पितामहात् ॥ " लभेतांशं स्वप्रित्र्यं तु पितृन्यात्तस्य वा सुतात् । स एवांशस्तु सर्वेषां आतुष्यां न्यायतो भवेत् ॥ " लभेत तत्सुताहाऽपि निवृत्तिः परतो भवेत् । " इति ।

तदाह । वाचि ि दीति । अन्यथैतदानर्थक्यापत्तिरिति नियामकमिद्मिति भावः ।

एकस्या योषिति बहुभिः सङ्गतायां तेभ्यो जातानामित्यर्थः इति कल्पतरः--

" अनेकिपतृकाणां तु पितृतोंऽशिविकत्पना। यस्य यत्पैतृकं रिक्थं तत् स गृह्णीत नेतरः।। "
इति विष्णुच्याख्यावसरे। अत एव वृहस्पतिः—

"यद्येकरिक्थिनो स्यातामौरसक्षेत्रजौ सुतौ। यस्य यत्पैतृकं रिक्थं स तद् गृह्णीत नेतरः॥ "इति। नायं पारिभाषिकः क्षेत्रजः। तस्यान्यविभागस्य वक्ष्यमाणत्वात्। किन्तु क्षेत्रमात्रोत्पनः। "द्दौ तु यौ विवदेयातां द्दाभ्यां जातौ स्त्रियां धने। तयोर्थद्यस्य पित्र्यं स्यात्स तद् गृह्णीत नेतरः॥ "

#### इति मनुरपि (अ॰ ९१९९१)॥ १२०॥

नन्वनेकिपितृकाणामित्यनेन अन्यथाऽनुपपन्नेन एतावत्सम्पन्नं, पौत्रस्य पैतामहद्मव्यप्राप्तिः पितृह्वारा, न स्वतः। तत्रापि पितिरि अविभक्ते दिष्टं गते एव, विभागस्य स्वत्वाजनकत्वेऽिप तन्नाशकत्वात्। तत्सन्त्वस्य प्रतिबन्धकत्वाच। एवं च पौत्रस्यापि प्रात्रादिवत् सप्रतिबन्ध एव द्राय १० हित तथा प्रागुक्तमयुक्तम्। किंच तथा सति यदा पिता जीविति विभक्तश्च स्वपितुः यहा तस्य एकपुत्रत्वेन तस्य प्रात्रन्तराभावात् स पितुः सकाशाद्विभक्त एव जीवनास्ते, तदाऽऽद्यपक्षे विभक्तत्वादेव पैतामहद्रव्यपाध्यभावः स्वपितुरिति विभक्तत्वात् तस्य सन्त्वाच द्वारानिरोधिन पौत्रस्य पैतामहद्रव्यपाध्यभावः। द्वितीयपक्षेऽिष यद्यपि स्वपितुर्धनप्राप्तिरस्ति अविभक्तत्वात्तथापि सत्त्वादेव तस्य तद्भाव इति सर्वथा पैतामहे धने पौत्रस्य जीवत्यितृकस्य विभागाभाव एव स्यादि- १५ त्युत्तरवाक्यमवतारयनाह। अधुनेति । इत्याशद्विते इत्यत्रान्वयः। विभक्ते इति छेदः। पौत्रस्येत्युप- लक्षणं, पौत्रयोः पौत्राणामपि । उभयत्र हेतुमाह । अधियमाणे इति । दिष्टं गते इत्यर्थः। प्रियमाणे इति पाठे तस्य पूर्वान्वयः। अपितरीति छेदः। तद्भवे। अत्र तूभयत्रापि पितुः सत्त्व- मिति भावः।

ननु नैतद्युक्तं, जन्मनैव स्वत्वस्य प्रागुक्तत्वेन द्वारानपेक्षत्वेन तत्रापि विभागस्य युक्तत्वाद्गित २० चेत्, तथापि पितिर दिष्टं गते पितृद्वारैवांशाविधानाज्जीवाति तस्मिन् तद्वारकत्वं सुतरामिति अत्र पितुः प्राधान्यप्रतीत्या पितुरिच्छयेव विभागः स्यात् । तत्रापि स्वार्जितवत् द्वावंशाविति नारद्वाक्येन पितुरंशद्वयं स्यात्तद्वाह । भवतु वेति । विभागस्तत्र तस्येत्यस्यानुषद्धः । परं तु इति शेषः । इच्छ-येव इच्छयेव च । स्यादिति शेषः । दृष्टान्तस्चितं तत्रापीत्यादिनोक्तम् । भवन्वेति पाठे तु एकवाक्यतेव ॥

# याज्ञवल्कीये १२१ श्लोकः ।

शब्दशक्तिमाहात्म्येन लब्धमर्थमाह । शास्ति । आदिना यवक्षेत्रादि । तेन वास्ति-दिनिरासः । इदं वास्त्वादिनिषयतस्वं चानुपद्मेन विशदीकृतम् । निबध्यते यः पर्णादिगणनया स निबन्धो वृत्तिः । आकरादौ राजादिद्त्तं नियतलभ्यम् । तत्त्वरूपमाह । एकस्येत्यादि । पर्णानां भरो बाहुल्यं यस्मिचिति विग्रहः । समासान्तः । एवमग्रेऽपि । तथा बैकस्याः पर्णवादिकाया ऋषुक- १० बादिकायाश्चेयन्ति पर्णानि ऋषुकफलानि । चेति तद्धापारकोविदा एव जानन्ति, नान्ये इति तदीयपर्णभरकादिपर्णगणनया निबध्यमान इत्यर्थः । यत्पितामहेनेत्यनयोरग्रेऽपि संबन्धसूचनाय आह। यत्पितीति । नियमानतिकममाह । प्रतिग्रहेति । आदिना वाणिज्यदिजसूश्रूषादिपरिग्रहः ।

एवं पूर्वार्धवाक्यार्थवये प्रतिपादिते उत्तरार्द्धे वाक्यभेदेन सशेषपूरणेन व्याचष्टे । तत्रेति । विश्वत्यर्थः । पाग्वत् अस्यार्थमाह । अस्तीति । पूर्वम् एवान्वयादस्त्येवेत्यर्थः । वोभयोतिति कल्पतर्वादिधृतपाठासांगत्यं ध्वनयचाह । हि यस्मादिति । सहशं सहशमेव । अधिमेवान्वयात् । शेषं प्राग्वदाह । तस्मादिति । इच्छयेव न विभाग इति पाठो युक्ततरः । एतेन समांशत्वं सूचि तम् । बृहस्पतिरापि—

"द्रव्ये पितामहोपात्ते जंगमे स्थावरेऽपि वा । सममंशित्वमाख्यातं पितुः पुत्रस्य चेव हि ॥ '' इति । एवं सित पूर्ववचनानर्थक्यं प्रथमांशेन प्राप्तं तिद्दिरोधं च परिहरन् वाचिनिकत्वमुक्तं द्रद्वयि । १० अतश्चेति । यत एवं स्वाम्यं पितापुत्रयोस्तत्र समानमेव लोकप्रसिद्धम् । अत इत्यर्थः । वाचिनिकिमिति । पितिर पेते वचनात्तथा नियम्यते, न तु जीवित । अत एव प्रमीतिपितृकाणामिति पाठो युक्ततर इति भावः । इदं प्रागपि उक्तम् ।

द्वितीयांशेन प्राप्तं वचनान्तरिवशेषं परिहरति । विभागं चेदिति । प्रागपीदमुक्तम् ।

तृतीयांशेन प्राप्तं प्रागनुक्तान्यवचनविरोधं परिहरति । तथिति । नारदमाह । द्वावंशा-१५ चिति । प्रतिपत्तिनियमेन प्रहणम् । आत्मन इति पष्टचन्तं पञ्चम्यन्तं वा । अत्र विषमविभागे लोकविशेषाद्यभावाद्यं भवत्येवेति भावः । एवं प्रागुक्तविसिष्ठोके विषमविभागेऽपि बोध्यम् । एवं च स्वार्जिते सर्वविभागेषु अर्जकस्यांशदयमिति सिद्धम् ।

सदृशमित्यनेन प्राप्तमन्यिवरोधमेवं रीत्यैव परिहरन् मतद्वयमाह । जीवतोरित्यादि । जीवतोरित्यादि । जीवतोरित्यादि । जीवतोरित्यादि । जीवतोरित्यादि । जीवतोरित्यादि । गितामहे धने पित्रजितधनान्मूलानुकं तत्फलितं तद्भिमतम् । १० विशेषांतरमाह । तथा चेति । तयोः स्वत्वस्य तुल्यत्वे चेत्यर्थः । जीवद्विभागे उक्तकालत्रयाभाव- कृतविशेषमाह । सरजस्कायामिति । अपिना तिनिमत्तत्रयसमुच्चयः । पुत्रेच्छ्या तयैव । एवं चैतदिच्छाया मुख्यत्वम् ।

अत एव विशेषान्तरमाह । तथिति । तहादित्यर्थः । अविभक्तेनेति छेदः । विभागे स्वतः नाशेन तदनधिकारादिति भावः । एतेन ' स्वयं विद्याशीर्यादिना स्वयमर्जितमिति ' व्याख्यानं मेधा-१५ तिथ्यादेरपास्तम् ।

### बृहस्पतिरापि--

"पैतामहं हतं पित्रा स्वशक्त्या यदुपार्जितम् । विद्याशौर्यादिना प्राप्तं तत्र स्वाम्यं पितुः स्मृतम्'' ॥ इति । अपिना विभागकरणसमुचयः ।

कर्तव्येति । पुत्रेणेति भावः । अन्यवहितोक्तमेव हेत्किपूर्वकं विशद्यति । तथा ही-३० त्याविना । जन्मनेव समानमिति शेषः । पित्रिति । पुत्रस्येत्यादिः । तत्रान्यतरस्यानर्जकत्वा-दाह । द्वयोरिति । अत एव पैतामहे न मातुरंशः स्वत्वाभावाद्व चनाभावाद्व । एवं च पौत्राणामप्रति-वन्यो दाय इति पागुकं युक्तमिति बोध्यम् ।

१ क-स-पूर्वेवान्वयादस्येवेत्यर्थः । क-पूर्वेणान्त्रयादस्त्येवेत्यर्थः ।

अत्रान्यसंवादमाह । मनुरपीति । इति वद्भिति द्र्शयतीत्यन्वयः । पैतृकमित्यस्य पिते-त्युक्तिवलात् व्याख्या । पितामहेति । अनवाप्तमित्यस्य व्याख्या पितेति । यदेत्यस्य यदीति । आग्नुयादित्यस्य पाग्वत् । उद्धरतीति । स्वयमार्जितमित्यस्यान्वयासंभवात्, यथाश्रुते चरान्दाभावेन वाक्यभेदासंभवाच दृष्टान्ततेत्याह । स्वार्जितमिवेति । अकामः विभागानिच्छः । एतेन "चेत्स्वयं विद्यारोगीदिना स्वयमर्जितम् " इति व्याख्यानं मेधातिथ्यादेरपास्तम् ।

#### बृहस्पतिरापि--

"पैतामहं हतं पित्रा स्वशक्त्या यदुपाज्जितम् । विद्याशीर्यादिना प्राप्तं तत्र स्वाम्यं पितुः स्मृतम् '' इति । कात्यायनोपि—

"स्वज्ञक्त्या सुद्धृतं नष्टं स्वयमाप्तं च यद्भवेत् । एतत् सर्वं पिता पुत्रैर्विभागे नैव दाप्यते॥" इति । इदं भूभिन्नविषयमिति पागुक्तमेवेति बोष्यम् । पितामहाजितमिति । उक्तभिन्नमित्यर्थः । १७ अत्र भूः पितामहेत्युभयमुपलक्षणम् । अत एव व्यासः—

"कमागते गृहे क्षेत्रे पितापुत्राः समांशिनः । पैतृके न विभागार्हाः सुताः पितुरिनच्छया ॥ "इति। एवं चात्र सर्वत्र स्थावरे जङ्गमे च समांशित्वं, पैतृके तु पितुरिच्छया गृहाद्ौ समांशित्वं नान्यथेति विशेषः ॥ १२१ ॥

विभागोत्तरोति । प्रथमतृतीयकालयोरित्यर्थः । पुत्रस्येत्युपलक्षणं पुत्रयोरित्यादेरपि । १५ एवमग्रेऽपि ।

#### याज्ञवल्कीये १२२ श्लोकः।

पुत्रेषु सत्सु । अत एवाह । पश्चादिति । भावपत्रि विभागभागित्यनुपपन्नमसम्बद्धं च । अत आह । विभाज्यते इति । कर्मणि पत्निति भावः । साकांक्षत्वात्प्यसत्ते ह । पित्रोरिति । विभागो धनम् । तात्पर्यार्थमाह । पित्रोक्तिध्विमिति । प्रायणादिति शेषः । अंशं तत्त्वेन २० स्थितं सर्वम् । पित्रोरित्युक्तं सफलयित । मातृभागिमिति । चस्त्वर्थे । तत्सद्भावे तु तं न लभते इति भावः । सवर्णायामित्युक्तेः फलमाह । असवर्णायामिति । स्वांशमेवेति । मुख्यांशमेवेति पाठान्तरम् । बाह्मणात् क्षत्रियायामुत्पन्नस्य पाद्वेनं, वैश्यायामर्द्धं, शूद्धायां पादः क्षत्रियायाम् मुत्पन्नस्य पाद्वद्यं, शूद्धायां पादः क्षत्रियायाम् मुत्पन्नस्य पाद्वद्यं, शूद्धायां पादः, वैश्याच्छूद्धायामुत्पन्नस्य एकः पाद इत्यर्थः । तद्दक्ष्यौति 'चतुम्नि- व्यक्भागाः स्युरिति ? । पित्र्यादिति । धनादित्यर्थः । पित्र्यामिति पाठान्तरम् ।

विशेषमाह । मातुरिति । मातृकं त्विति पाठान्तरम् । अयमपि दुहिञ्चसन्ते इति बोध्यम् । 'मातुर्वेहितर ' इत्यस्य मातृधनमाञ्जशेषत्वात् । उक्तम्लस्य तदूर्ध्वं तस्य धनभाक्त्वमितिपरत्वं कुतः, जीवत्येव तस्मिन् तद्भाक्त्वपरत्वं कुतो नेत्याशङ्कां परिहरन्मौलार्थे मानमाह । पतिदेविति । पिञो- सर्विमित्युक्तमेवेत्यर्थः । हरेत् गृहीयात् । अनेन तदुत्तरकालिकत्वं स्पष्टमेवोक्तम् ।

नन्वेवमपि पित्रोरिति प्रागुक्तमयुक्तं, पितुरिति बाच्यम् । अत्र पित्र्यमित्यस्वैवोक्तत्वात् । तस्य ३० च पितुरागतमिति शब्दार्थात् । अत आह । पित्रोरिति । एकशेषं कृत्वा तखित इति भावः ।

१ अग्रे (१२५) श्लोके मि. पू. ८९ पं. १।२

इदं फिलितार्थं कथनम् । नन्भयथाऽपि पित्र्यमित्यस्य तुल्यत्वादंत्र तथा व्याख्याने एव न मानम्, अत आह । अनीदा इति । बाईस्पत्ये अत्र पित्रोति दिवचननिर्देशानथेति भावः । अस्फुट-त्वादस्योक्तार्थपरत्वायदं वाक्यभेदेन व्याचि । विभक्तस्योरिति । पूर्वपुत्रेभ्य इति भावः । अत्यधाऽनुपपत्तेः पकरणाचेद्मुकम् । भागे इति पाठः । विभागे इत्यपपाठः । स्मृतावसत्त्वात् । पूर्वज इत्यस्यार्थमाह । विभागादिति । दितीयवाक्यमाह । विभक्त ज्ञञ्चेति । विभक्तभ्यां पितृभ्यां जात इत्यर्थः । भ्रातुः पूर्वोत्पनस्य । तथा च विभक्तपुत्रांशान्यूनत्वेऽधिकत्वे वा विभक्तजस्तावदेव लभते; न तत्पूर्वना अधिकं गृह्णीयुन्यूनं वा पूर्ययः । अयमेवाथी मन्नवाक्ये एवेन सचितः ।

साधारणोक्तया तन्त्रेण मूलस्यैवार्थीन्तररूपविशेषमाह । तथेति । बृहस्पितमाह पुत्रेरिति । अस्य विभक्तेनेत्यत्रैवान्वयः । यद्दा । पूर्वपुत्राणां विद्यमानत्वेऽपीत्यर्थः । सहेव दशिभः पुत्रेरितिवत् । १० स्वयमिति स्पष्टार्थम् । अत्र एव बृहस्पितिरेव—

"यथा धने तथर्णेऽपि दानाधानऋयेषु च । परस्परमनीशास्ते त्यक्त्वाऽऽशोचोदकिकयाम् ॥ ११ इति ।

विपद्स्वारस्यात्तथेव विशेषान्तरमाह । ये चेति । पित्रा सहेत्यस्य मध्यमणिन्यायेनान्वयः । पुनः संसृष्टाश्चेत्यर्थः । पितुरिति । पायणादिति शेषः । संसृष्टा इति । पागुक्तोत्तरार्द्धमिद्म् । १५ अत एव पूर्वसमुचये वाशब्दः । तेन वेति । पित्रेत्यर्थः । स तैरिति । विभक्तजः पूर्वजेरित्यर्थः ।

ययप्यन्यनिबन्धकारैरत्र दृश्याद्वेति पूर्वत्रेव विकल्पपरतया व्याख्यातं, केश्चिद्न्येश्चेकवाक्य-तयेव व्याख्यातं, तथापि तन्न युक्तम् । उक्तस्मृतिविरोधेन विकल्पासम्भवात् । आनर्थक्यस्यान्य-तरस्य स्पष्टत्वेनासम्बन्धेन वापदानर्थक्येन चैकवाक्यत्वासम्भवात् । न्यूनतापत्तेश्च । तदेतद्भिप्रेत्यो-तरार्थस्यान्यद्वतरणमाह । पितुरिति । प्रायणादिति शेषः । पुत्रेष्विति । पितृमरणाद्व्यवहितपूर्व-२० मेव गर्भे सति विभागसमयेऽपि मातुरस्पष्टगर्भात्वेन तदानीमज्ञानेन तद्व्यवहितमिति भावः ।

वाशब्दः समुचये । अवधारणे वा । आयव्ययविशोधितात् हृश्यादेव तिह्नभाग इत्यर्थः ।

नन्न तिह्नभाग इत्यस्य कथमुक्तार्थोऽतस्तस्येत्यस्यार्थमाह । पितरीति । प्रातृभिरित्यस्य
विभागे एवान्वयः । तत्कर्तृकविभागेत्यर्थः । आतृविभागेति पाठः प्रचुरः । माति सत्यां पितुरसनवान्मातुर्विभागासम्भवादविधं पृच्छति । कुत इति । हृश्यादित्यस्य तात्पर्यार्थमाह । आवृत्तिभिरिति ।
१५ पदार्थावाह । आय इति । वृद्धिभेदस्य प्रागुक्त्या विनिगमनाविरहादाह । प्रतिदिवसमिति ।
वाक्यार्थमाह । ताभ्यामिति । शोधितं परिष्कृतम् । तथा च प्रकृते विभागोत्तरं प्रातिस्विकांशैः

हष्यादिषु कियमाणेषु यो लाभः स आयः । पितृकृतं ऋणं स्वकुदुम्बपोषणादिसाधकं तद्पाकरणं
व्यय इति भावः ।

आयन्ययरहितादित्यर्थानेरासायाह । एतिद्विति । भागेषु सत्सु । तद्वित्थं ततः कृष्या-१० दितो लब्धम् । स्वस्वांशमध्ये इति शेषः । प्रवेश्य प्रक्षिप्य । अपनीय अपनीय च । स्वेभ्यः स्वीयेभ्यः सर्वेभ्यः इत्यर्थः । किञ्जिदिति । यस्माद्यसाद्शाद्यावद्यावद्वचितं तावत्तावद् गृहीत्वेत्यर्थः । अतं प्वाह । स्वभागसम इति । अयं भावः । विभक्तमपि तत्पितृधनमविभक्तमिव । यतो गर्भ-स्थितमध्यपत्यनपत्यत्वादेव पितृधनांशाईम् । मातुः पितृमरणसमये एव गर्भे सति विभागसमये चाव्यके गर्भे तस्मादेव गर्भादुत्पनमपत्यं तस्मात्पितृधनात्तद्वत्थलाभाच भागाईमिति । तमापि पुनसस्वे समाराभागित्वं पुत्रीसस्वे तु स्वस्वजातिनिबन्धनादंशाचतुर्थाशभागित्वं पश्यमाणं बोध्यम् ।

उक्तन्यायं युक्तितौल्याद्न्यत्रातिदिशति । एतच्चेति । प्रातुर्थस्य कस्यचित्रमीतस्य उक्त एव प्रकारः । 'अप्रजसीति ' भार्याविशेषणम् । अप्रजस्येति पाठे यथासंख्यमुभयोरुभयं विशेषणम् । न्यूनतानिरासाय विशेषं सूचितम् । उभयत्राप्याह । स्पष्टेति । अनपत्या इति । विहरिष्यमानपुत्रा इत्यर्थः । स्त्रियोऽत्र भातृभार्याः अत एवाह । आ पुत्रोति । आङ् मर्यादायाम् । अत एव तद्र्धमाह । गृहीतिति । पुत्रेत्युपलक्षणमित्याह । आ प्रस्वादिति । वाक्यार्थपूर्तये शेषमाह । प्रतीक्षणी-प्रमिति ॥ १२२ ॥

व्यवहितसङ्गतिं सूचयनुत्तर।वतरणमाह । विभक्तज इति । विभागानन्तरं मातापित्रोः सतोरेव य उत्पन्नः स विभक्तजो मातापितृमरणानन्तरं तयोधेनं गृह्णातीत्युक्तं । विभक्तेषु सुतो जात १० इत्यनेनेत्यर्थः । मातृकांशः प्राग्वत् । तत्र तस्मिन्सित । माता विति विकल्पो दाने, न तु विभागे । पितुः पुत्रेभ्यो विभागे मातुस्तस्यार्थसिद्धत्वात् । पृथक् तस्या अविभागाच । अत एव पुनस्तन्न विभक्तेति विशेषणानुक्तिः । ताभ्योऽपि पुत्रवत् पृथगंशं दत्त्वा तासां पृथक्कार इति तु न । 'जाया-पत्योर्न विभागो विधीयते ' इति हारीताद्युक्तेः । एवं च 'पत्न्यः कार्याः समांशका ' इत्यस्य बहुवचनात् पत्नीत्युक्तेश्व प्रतिपत्नि पुत्रांशसमानमंशं गृह्णीयादित्यर्थो न तु तथेति प्रागुक्तं न विस्मर्त- १५ व्यमिति बोध्यम् । तत्र विषये ।

"पितामहेन यद्दतं पित्रा वा प्रीतिपूर्वकम् । तस्य तनापहर्त्तव्यं मात्रा दृत्तं च यद्भवेत् ॥" इति । यस्येति षष्ठी शेषत्वाय ।

### याज्ञवल्कीये १२३ श्लोकः।

युक्तिसाम्याद्न्यत्रातिदेशमाह । न्यायेति । अस्यायेऽप्यन्वयः । अपिः ऊर्ध्वसमुचये । २० पवेन विभाज्यत्वव्यवच्छेदः ।

अतिदेशान्तरं तत एवाह । तथिति । तद्दित्यर्थः । विभक्तजे ऽस्तित्यन्वयः । तद्दृध्वं तन्मरणानन्तरम् । 'विभज्जतामिति ' निर्धारणे षष्टी । न केवलं विभक्तजे पुत्रे सति विभागादृध्वं प्राग्वा 'यस्य यद्दत्तं तत्तस्यैषेति ' नियमः, किं तु विभक्तजपुत्राभावेऽपि विभक्ताभ्यां ताभ्यां स्वपुत्रा-दिभ्यो यत्प्रीत्या द्त्तं तत्त्तयोर्मरणोत्तरं तद्भनं विभजतां मध्ये यस्मै द्त्तं तस्यैव न विभागार्हमित्यर्थः । २५

व्यवहितसङ्गितिमाह । जीवदिति । स्वपदं स्पष्टार्थम् । पितुरिति प्राग्वत् । पत्नीनां सर्वासाम् । वर्शयितुमिति । दर्शयित्यर्थः । प्रायणादिति । तदित्यादिः । विभजतामिति । 'षष्ठी चानादरे ' (व्या ॰ सू ॰ २-३-३८) इति षष्ठी । ताननावृत्येत्यर्थः । तद्दत्यत्वस्य सत्त्वात् । अत एव हरोदि-त्युक्तिः । अपेस्तत्रेवान्वयः ।स च जीवदिभागे समांशित्वसमुच्चायकः । अत एव तत्तुत्यतया एकत्वमत्र अविवाक्षितम् । किं च अत्र मातुरुद्देश्यत्वात्तदुद्देशेन हरणस्य अप्राप्तत्वेन विधेयत्वादेकत्वमविवाक्षितं, ग्रहं ३० संमाष्टीतिवत् । यदि कुर्यादित्यत्र तु तेनैवायपादेनांशभागित्वस्य प्राप्तत्वात्तदुद्देशेन पत्न्या विधानात्तद्रतं बहुत्वं विवक्षितं, पद्यना यजेतेतिवत् । एतेन विपरीतशङ्का निरस्ता । अत एव तद्वुरोधेनावतरणे पत्नीनामित्युक्तम् । यदा । यथाश्रुतेऽपिना जननीभिन्नसमुच्चयः । विष्णुर्पि— 'मातरः पुत्रभागानु-सारिभागहारिण्य'इति।

प्राप्त च्छेषमाह । यदीति । पकृतानुरोधेनाह । अधीशहारिणीति । वक्ष्यते इति। सौदायिके 'इत्ते त्वर्द्धे प्रकल्पयेत् ' इत्यनेनोति भावः । पाग्वच्छेषः ।

अत एव स्मृत्यन्तरम्—" जनन्यस्वधना पुत्रैविंभागेंऽशं समं हरेत् । " इति । अस्वधना प्रातिस्विकस्रीधनस्यन्या । तत्र जननीयहणमपुत्राणां मातृसपत्नीनां पितामहीनां चोपलक्षणम् ।

अत एव व्यासः—

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''असुताः स्वपितुः पत्न्यः समानांशाः पकीर्तिताः। पितामहाश्च ताः सर्वो मातृतुल्याः पकीर्तिताः॥'' इति। एवं सित प्रकृते मातृशब्दः पत्नीमात्रपर इत्याप सुवचम् ।

" तिस्र: पुज्याः पितुः पक्षे तिस्रो मातामहे तथा । इत्येता मातरः प्रोक्ताः पितुर्मातुः स्वसाऽष्टमी॥ " इति चतुर्विशातिमत्वचनं 'पितुपत्न्यः सर्वा मातर' इति सुमन्तुवचनमप्यत्र साधकम्। १० एवं च सापलमातुरिप अंशभागित्वमिति सिद्धम् । एतेनात्र मातृपद्ोक्त्या सापलमातुरंशभागित्वं नेति निर्वचनः प्राच्यसिद्धान्तः परास्त इति दिकु ॥ १२३ ॥

> पितुरूर्विमित्यनेन पसङ्गसङ्गतिमाह । पितरीति । सन्तीति । तदेति शेप: । याज्ञवल्कीये १२४ श्लोकः (पूर्वार्धः)।

असंस्कृतानामनिषकारादाह । पूर्वसंस्कृतौरिति । तत एवाह । पितुरिति । प्राय-१५ णादिति शेषः । असंस्कृताः, विवाहान्तसंस्कारैः । न च विभागपकरणे इदमयुक्तमिति वाच्यम् । पूर्वसंस्कृतैरिति विशेषणेन यथा स्वसंस्कारः पित्रा समुद्ायद्रव्येण कृतस्तथा तेपामपि कार्य इति स्ववत् तत्कृत्यस्यावरयकत्ववोधनद्वारा आदौ, तथैव समुद्रायद्वयेण तत् कृत्वा ततो विभागः कार्यः न तु ततः मागिति बोधितत्वेनात्र सङ्कतेः । अन्यथा तिद्दशेषणोपादानानर्थक्यं स्पष्टमेव । तदाह समुदायेति । विवाहान्तमंस्कारेरिति शेषः । एवमशेऽपि । तुल्ययुक्त्या पातित्यादिदोपदुष्टे पितरि जीवत्यपि २० यदि पुत्रा एव विभागकर्तारस्तदा तत्राप्येवमेव बोध्यम् । एवमग्रेऽपि ।

### ( उत्तरार्धः )।

विशेषमिति । विवाहान्तसंस्कारतौल्येऽपि विजातीयांशदानरूपम्, असंस्कृतासु पूर्वमंशदानं ततस्तासां संस्कार इति पूर्वक्रमान्यक्रमरूपं च विशेषमित्यर्थः । एतद्र्थमेव मूले तुः ।

ननु नेदं संस्कारमात्रबोधकं तावत्, निजादित्यादिवैयर्थ्यापत्तेः । किं च पूर्वेणेव सामान्येन २५ सिद्धे सम्पूर्णस्य वैयर्थ्यापत्तेः । नापि तुरीयांशद्गनमात्रं भगिनीमात्रोहेशेन विधीयते । 'भगिन्य ' इति प्रथमायाः चशब्दस्य त्वाप्रत्ययस्य चासम्बद्धत्वापत्तेः । नापि पूर्वानुवृत्त्या पूर्वगृष्ठीतादंशा-त्तुरीयमंशं दत्त्वा ताम्यः, असंस्कृतास्तास्तैः संस्कार्या इति अर्थः । एवमपि चशब्दानर्थक्यस्य तद्व-स्थत्वात् एतेन दन्त्वा तेनैव संस्कार्या न तु समुद्गयद्रव्येण नापि स्वांशेनेत्यर्थः इत्यपि निरस्तम् । तदा तदुपयोगिद्रव्यव्ययस्यैव पाह्या अंशं तुरीयकमित्यस्यासङ्गतेश्व । द्त्त्वेत्यस्य व्ययीकृत्येत्यर्थे-३० अप्ययमेव दोषः । निजमंशं परिभाव्य ततो वा तुरीयमंशं व्ययीकृत्यैव तथा ताः संस्कार्या इति नियामकमिदं पूर्वेण सिद्धत्वादिति पक्षेऽपि चशब्दासङ्गतिस्तद्वस्थैव । वराय तं द्न्वेत्यर्थस्तु प्रत्यासत्तिन्यायविरुद्धः ।

अथ वाक्यभेदेन भगिनीम्यः सर्वाभ्यो निजादंशाचं परिभाज्यादौ तमुपेक्ष्य तं विचार्य तत्रीयम्य वा तुरीयमंशं दत्त्वा स्वांशास्त्रेग्रीह्या असंकृतास्ताः संस्कार्षाश्चेत्यर्थेन न कस्याप्यसङ्गति-इ.५ रित्युच्येत, एवमपि पूर्वेणैव सिद्ध्या दितीयवाक्यानर्थक्यं तद्वस्थमेव । भिमनीन्यो निका हित्योवद ब्र्यौत् । न प्वैवं विशेषेण अनेन पूर्वोक्तसंस्कारबाधापत्तिरिति वाच्यम् । तस्यासंस्कृतभ्रातृभगिनी-साधारणत्वेनास्य संस्कृतासंस्कृतभ्रातृभगिनीसाधारणत्वेन सामान्यविशेषभावाभावात् । परस्पराविषये द्वयोश्वारितार्थ्येनासंस्कृतभगिनीविषये विरोधाभावेन समावेशसंभवात् ।

अथ तद्नुवृत्त्यैव निजादंशात्तं द्त्ता असंस्कृतास्ताः संस्कार्याः, संस्कारैः संस्कृतास्ताः संस्कार्याः भूषणीयाश्चेत्यर्थस्यापाप्तस्य विधानेन भगिनीमात्रदाने प्रत्यवायस्य मनूक्तत्वेन तद्वावश्यकत्व-प्रतिपाद्नतात्पर्यकत्वेन स्फुटतया तद्र्थवोधार्थकानुवादे च न कस्यापि वैयर्थ्यमित्युच्येत । एवमपि निजादित्यादि अयुक्तम् । अर्थस्य दुर्वचत्वात् ।

तथा हि किं यावन्तो भ्रातरस्तावतः अंशान्विधाय स्वस्वांशात्तुर्यस्तुर्यो भागो देयस्तैः प्रत्येकिमित्यर्थ उत भ्रातृभिः सर्वैः स्वस्वांशात्तुर्ये तुर्ये भागमुद्धृत्य देय इति । तत्राद्ये पक्षे भिगनीद्धि-त्वाद्वावप्येकैकस्येव प्रत्येकं चतुर्थो भागो देय इति सिद्धम् । द्वितीये पक्षे भिगनीद्धित्वाद्वाविष १ व सर्वैस्तैरुद्धृतं सक्कद्धागमेव दत्तं सर्वो गृह्णीयुर्ने तु प्रत्येकं पृथगुद्धार इति सिद्धम् ।

ुतत्र न तावदायं युक्तम् । यत एको भाता यत्र भगिन्यश्च बह्वयस्तत्र पृथक् ताम्यश्चतु-र्थोशदाने भ्रातुरिकञ्चनता स्यात् । किं चैका भगिनी बहवश्च यत्र भ्रातरस्तत्र तैस्तथा दीयमाने तद्पेक्षया तस्या अधिकांशलाभेन पुत्रापेक्षया कन्याया न्यूनांशपापकवचनविरोधः ।

नापि द्वितीयः । भगिन्या एकत्वे भ्रातॄणां च बहुत्वे पूर्वोकदोषस्यैव सत्त्वात् । किं च भ्रातु- १५ रिकत्वे भगिनीनां च बहुत्वे भ्रातृभागस्यैकनिष्ठत्वेन तच्चतुर्थभागस्य स्वल्पत्वेन तचाप्यंशकल्पनाया-मतितुच्छता स्याद्शस्येति 'द्त्त्वांऽशं तु तुरीयक'मित्यस्याविषयः । भवतु वा तथा, तथापि तद्वचन-विरोधः।

प्रथमपक्षे प्रत्येकमि भगिनीनां तुरीयांशद्गानात्तुरीयांशमित्यादि विरुद्धम्, अत्र तु तद्भावात्तदिरुष्येतेतीति कोऽयमेतस्यार्थ इति चेत्तत्राह । अस्यार्थ इति । एकवाक्यतया पूर्वानुषङ्गेणाह । २०
भगिन्यश्चोति । चो भ्रातृसमुचये । दृन्द्वेति । नेदं संस्कारोपयोगिद्रव्यदानपरं भ्रातृद्वयसंभवात् ।
तस्य भ्रातृकर्तृकत्वेन द्गानानपेक्षणाच । किं तु भ्रातुरंशवत्तासामि ततः पृथगंशद्गनपरित्यवश्यं
वाच्यम् । तचायुक्तम् । तासां तद्दत्स्वत्वाभावात् । विशेषवचनाभावाच । तस्मादेतद्नुवाद्गन्यथानुपपत्येव तत्स्वत्वाभावेऽपि तद्ननन्तरं तासामप्यंशोऽस्तीत्यनुमीयते । स च विनिगमनाविरहात् उभयोः ।

तदेव सामान्येनाह । अनेन दुहितरोऽपीति । अन्यथैतदनुपपत्तिरुकैनेति भावः । अथ २५
गागुक्तचरममते पक्षद्वये द्त्तदोषद्वयस्य वक्ष्यमाणानिराकरणोपपत्त्यर्थमुक्तं चरमेकदेश्युक्तमतद्वयनिराकरणपूर्वकं सोपपत्तिकमदोषं स्वमतमेतत्तात्पर्यभूतमाह । 'अत्र निजादंशादि'त्यादिना 'ब्राह्मणीपुत्रौ विभज्य गृह्णीत ' इत्यन्तेन । अत्र मूलवाक्ये । तत्रेति पाठे उक्तबौद्धार्थानां मध्ये इत्यर्थः ।

इति इत्यस्य । उभयं क्रोडीकृत्याह । प्रत्येकामिति । अयं च निजादित्यस्यार्थः । अनेन शास्त्रीयव्यवच्छेदः । अयमर्थ इति । प्रागुक्तदिविध इत्यर्थः । न भवतीति । प्रागुक्तदोषादित्यर्थः । ३०
पुत्रभागादित्यनेन पञ्चम्यन्तार्थः शास्त्रीय उक्तोऽग्रिमोऽग्रिमस्य ।

१ का-ख-तस्य समुदायतहच्नविरोधः ।

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नन्वेवमपि कथनमात्राच ततोऽत्र पक्षे भेदः स्फुटतया भासते उत आह । एतदिति । कै सीति । चतुस्रीति वश्यमाणवाक्येन प्रतिपादितो भवतीत्यर्थः । तथा च स एवाच निजोंऽश हित तत्पतिपादितांशाचतुर्थाशं तस्यै दत्त्वाऽवशिष्टं स्वयं यथासम्भवं गृह्णीयादिति निजांशस्य व्यवस्थि तत्वे तत्तुरीयांशद्दानमात्रं तस्यै न तु पाग्वद्व्यवस्थितमिति नात्र पक्षे पागुक्तदोषापत्तिरिति भावः।

इदमेवोदाहरणवाहुल्यपद्रीनेन विशद्यति । तद्यथेत्यादिना । यदीति यत्रेत्यर्थकम् । तंत्रेति तदेत्यर्थकं वा । एवमग्रेऽपि । एतद्भावे वश्यमाणवाक्येन तत्राष्टावंशाः प्राप्ताः सन्तानभेदेनेति तुल्यांशलाभेन चत्वारश्चत्वारोंऽशा इति लाभेन फलितमाह । सर्वमेव दृव्यं द्विधा विभज्येति । एवमग्रेऽपि बोध्यम् । एतद्वचनविषयमाह । तत्रेति । तयोर्मध्ये इत्यर्थः। शेषं सर्वम् । दानसाम्येऽपि ग्रहणवैलक्षण्यस्चकस्तः । अत एव 'तदा पितृधनमिति ' पाठः । एवमग्रे अपि । यदापि भगिन्यश्चेति १० भ्रातुभिरिति च बहुवचनद्रयेनांशामित्येकवचनेन चानेकभ्रात्कर्तृकानेकभगिन्युद्देश्यकैकतुरीयांशकर्मक-दानलाभेन प्रत्येकं भगिनीनां भागसम्बन्धलाभो न, तथापि वश्यमाणमानवे वीप्साप्थगाचुकेस्तथे-त्याशयेनाह । हो भागो द्वाभ्यां कन्याभ्यामिति । एतेनक एवांशो भगिनीभ्यां देय इति मदन-पारिजातोकमपास्तम् । कन्याबहुत्वे प्रागुक्तदोषापत्तेः । एवं चात्र ( अंशमिति ) जातावेकवचनम् । इतिस्तु समाप्तौ । एवं पुत्रबहुत्वे कन्याबहुत्वेऽपीत्याह एवमिति ।

विजातीयेष्वाह । यदा त्विति । अत्र साम्याभावेन प्राग्वत् देधा विभागासंभवादुक्त्युक्त्येवाह। 24 सप्तधेति । वस्तुतस्तु पुत्रस्यैवेत्याह । क्षत्रियापुत्रभागानिति । दोषं, सर्वम् ।

एवमुक्तवैपरीत्ये बहुत्वे च बोध्यमित्याह । एवं जातीति । तत्र जातिवेपम्ये भातूणां भिन नीनां च संख्यासाम्ये इत्थं बोध्यम् । तद्यथा-बाह्मण्याः पुत्रः कन्यका च, क्षत्रियायाः पुत्रः कन्यका च, एवं वैश्याश्र्द्रयोरिप । एवं चाष्टावपत्यानि, चत्वारः पुमांसश्चतस्रः स्त्रियः । तत्र ' चतुः २० स्नीति १ वक्ष्यमाणवाक्येन बाह्मणापत्ययोरष्टावंशाः, क्षत्रियापत्ययोः पट्, वेश्यापत्ययोश्यत्वारः, श्र्द्रापत्ययोद्दी, एवं विंशतिभागान्कृत्वा बाह्मणीकन्यायै स्वजातिपुत्रविहितादंशचतुष्टयक्तपानिजाद्भागा-चतुर्थमंशं द्यात्, क्षत्रियाकन्यायै स्वजातिपुत्रविहिताद्शत्रयस्पानिजाद्भागाचतुर्थमंशं द्यात्, वैश्याकन्याये स्वजातिषुत्रविहितादंशद्दयरूपानिजाद्धागाचतुर्थमंशं द्यात्, शूदाकन्याये स्वजाति-पुत्रविहितादेकांशरूपादेव निजाद्भागाचतुर्थमंशं द्यात् । ततोऽविशष्टं द्रव्यमेकीकृत्य बाह्मण्यादि-२५ पुत्राः क्रमाचतुस्त्रिद्धेकभागान् गृह्णीयुः । वैषम्ये तु आतूणां भगिनीनां च यावत्यो व्यक्तयः तावतीनां भात्रादिःयक्तीनां तावतः अंशान् चतुस्रीति क्रमेण कल्पयित्वा भगिनीभ्यः स्वस्वजातिपुत्र-विहिताद्शाचतुर्थञ्चतुर्थमंशं दत्त्वाऽवशिष्टं तत्सर्वद्रव्यं भ्रातरस्ते पुनश्चतुस्त्रीत्यादिक्रमेण गृह्णीयुरिति ।

केचिदुक्तरीत्यैव तुरीयमंशं कन्यायै दत्त्वा तेनैव विवाहः कार्यो न तु समुद्तितद्रव्येण विवाहों ऽशदानं च पृथगित्याहुः । तन्मतं लण्डयति । न चेति । इति इत्यस्य । संस्कारेति । विवा-३० हान्तेत्यादिः । द्न्वेतीति । व्ययीकृत्येत्यर्थः । यद्यप्येवं व्याख्याने दोषद्वयं प्रागुक्तमञ्जैव, तथापि स्वमंतं परसंमतमपीति सूचयन दोषान्तरं च तज प्रतिपादयनाह । मन्चिति । एतेन देशाचारात् व्यवस्थेति मदनपारिजातायुक्तमपास्तम् । तदेवाह । स्वेभ्योंऽशेभ्य इति । तं प्रतिपाद्यन्नस्फुट-त्वादिना स्वोक्तार्थपरतया व्याच्छे । अस्यार्थ इति । तत्र कन्यात्वं स्विपृतृनिक्पितं न तु स्विनक्ष्मितियाह । भिगनिभ्य इति । स्वेभ्य इत्यस्य व्याख्या । स्वजातीति । तथा च आत्मीयपरः स्वशब्दः । स्वात्स्वादंशादित्येव सिद्धे बहुवचनान्ततदुक्तिसामर्थ्यलभ्यं तत्स्वक्षपमाह । चतुर इति । वश्यमाणस्यार्थतो निर्देशः । त्यव्लोपे पश्चमी । तानिभलक्ष्येत्यर्थः । हेतुपञ्चमी वा । दानग्रहणयोः प्रत्येकसंबन्धलाभार्थे वीप्सादीत्याह । स्वात्स्वादिति । स्वशब्द आत्मीयपर इत्याह । आत्मी-यादिति । चतुःशब्द्श्वतुर्थपरो लक्षणयेत्याह । चतुर्थं चतुर्थमिति । इयं वीप्सा पृथवपेदलभ्या । एवं वैतदुक्तिविरोधस्तद्याख्याने इति भावः ।

अत्रापि प्रागुक्तैकदेशिव्याख्यानं नेत्याह । न चात्रोति । मनुवाक्ये इत्यर्थः । उक्तहेतोः स्वेभ्यों ऽशेभ्य इत्यस्यानर्थक्यापत्तेश्चोति भावः । प्रागुक्तसिद्धान्तमाह । किं त्विति । अत्रापि जाति- १० वैषम्ये संख्यावैषम्ये च पूर्वोक्तेव व्यवस्थेत्याह । जातीति । ननु भगिनीनां प्रीतिदानमेव न त्वावश्यक-मिति कथं विधिः प्रकर्षश्च अत आह । पतिता इति । अदित्सवो दातुमनिच्छवः । भ्रातूणा-मिति भावः ।

एवं दानावश्यकत्वे चरमप्रागुक्तैकद्शिमतन्याख्यानद्वयदोषापित्तस्तद्वस्थेति कस्यचिद्धिक्तं खण्डयति । यद्पीति । अशिति । समृतिद्वये चतुर्थशित्यर्थः । तत् तद्पि । उक्तेति । स्वजाति-पुत्राविहिताद्शादित्यर्थनेत्यर्थः । तदेव परोक्तव्यतिरेकमुखेनाह । न ह्यत्रेति । उपसंहरति । अत २० इति । असहायेति । स्वतन्त्रेत्यर्थः । प्रागुक्तहतोः । उचितामिति । चतुरस्रमिति प्रचुरः पाठः । एवन्यवच्छेयं प्रागुक्तमेवाह । न भारचिरिति । पितृतं परमतात्पर्यमाह । तस्मादिति । पितुः पायणात् । कन्याऽपि सर्वा । पूर्वे मरणात् । अत्रोपसंहारे विभागे इत्यनुक्त्या उपक्रमेऽपि अनेन दुहितर इत्यत्रानुक्त्या तस्य पूर्वतोऽलाभेन च विभागे सत्यस्ति च दुहिता तच्चतुर्थीशभागिनी तदनन्तरमिति सिद्धम् । अत एवैकपुत्रस्थलेऽप्युपपादनं कृतमिति बोध्यम् ॥ १२४ ॥

सङ्गतिमाह । एवमिति । वचनबाहुल्यादाह । प्रवन्धेनेति । अस्य सम्भवमाह ।

## याज्ञवस्कीये १२५ श्लोकः।

तिस्रो वर्णित । इति इत्यनेन । एका स्वीया वर्तते एवत्याह । चतस्त इति । दिशैता इतीत्यादिः । आचाराध्याये इति भावः । तत्र तासु सतीष्ठ । ननु पितुर्बाह्मणस्यैकत्वेन न वर्णभेदो ऽत आह । वर्णशब्देनेति । तत्र वर्णशब्देन्य नियतपुरत्वेनात्र स्त्रीष्ठ लक्षणायामपि पद्स्येन तद्द्वीका- ३० राह्मद्वायां घोष इतिवन्न दोष इति भावः । 'बह्वर्थाल्यात् ' (व्या ० सू० ५-४-४२) इत्यस्यामाप्तेराह । 'संख्यैकेति ' अस्य पाणिनीयसूत्रस्य ( च्या ० सू० ५-४-४३ ) संख्यावाचकादेकवचनान्ताच

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वीप्सायां शस् प्रत्ययः स्यादित्यर्थः । हो हो द्वाति द्विशो द्वातीति संख्योदाहरणं, माषश इत्येकवचनोदाहरणम् । यद्यपि ' एकवचनशब्देन परिमाणशब्दा एव गृह्यन्ते ? इति जयादित्ये-नोक्तं तथापि तद्न्यस्यापि शहणमिति वामनमतमेव युक्तम् । अत एव पद्शः स्वरशो ऽक्षरश इत्यादि सङ्गच्छते । अनित्यपसङ्गस्त्वनभिधानादारणीय इति भावः ।

तद्तद्भिपेत्य द्वितीयविषयतामञाह । अधिकरणोति । अधिकरणसप्तम्येकवचनान्ता-द्वित्यर्थः । एवं पदार्थमुक्त्वा वाक्यार्थमाह । अतश्चोति । तादृशात् ततः तत्र शसि चेत्यर्थः । स्युरित्यस्यैव स्पष्टार्था व्याख्या । भवेयुरिति ।

उक्तं विशद्यति । एतिदिति । एकेकश इति । चिन्त्योऽयं प्रयोगः, एकश इति तु पाठ इति केचित् । वस्तुतस्तु सोऽपि साधुरित्यन्यत्र स्पष्टमिति बोध्यम् । तेनैव त्राह्मणेनैव । लभन्ते १० इत्यस्यात्रे सम्बन्धोऽत्रे यथायोग्यं तद्ध्याहारः । तेनैवोत्पन्ना इत्यस्यात्रे उभयत्राप्यनुषङ्गः ।

उत्तरार्धार्थमाह । **क्षत्रजा इति ।** योग्यतयाऽऽह । त्रिझेकैति । अस्य वैशद्यमाह । **क्षत्रि-** थेणेति । विद्यजा इति । " दौ विशौ वैश्यमनुजौ " इत्यमरः ( ३-३-२९४ ) । पाग्वदाह । वैश्येनेति । तत्युत्राणामिति । तस्य शुद्रस्य शुद्रायामुत्पन्नानां पूर्वोक्तः—

' विभागं चेत्पिता'इत्यादिना ' विभजेरम् सुता ' इत्यादिना चोक्त एव विभाग इत्यर्थः । १५ विशेषमाह । यद्यपीति । भूः शालिक्षेत्रादिका । यथा चेतत् तथाऽनुपद्मेवोक्तम् । बार्हस्पत्यमाह । न प्रेति ।

तत्रापि विशेषमाह । प्रतिग्रहेति । तद्गहणसामर्थ्यादित्यर्थः । तत्र सुनाय इति जात्यभिप्रायं प्रत्येकाभिप्रायं वैकवचनमित्याह । सुतानामपीति । एवं च तत्रापि तेषां विभागोऽस्तीति
भावः । अत्र हेत्वन्तरमप्याह । शुद्रोति । तस्य तद्भागस्य विशेषेण प्रतिषेधाचेत्यर्थः । तथा च
७० आदिशब्देन वैश्य एवात्र न शुद्र इति भावः । तद्दचनं तदीयमेवेत्याह । शुद्रामिति । अत्र शुद्री
न शुद्रभार्या । तथा सति तस्यां जातस्य कुण्डगोलकयोरन्यतरत्वेन भागानर्हत्वेनासङ्गत्यापचेः ।
अपि तु द्विजातिस्री शुद्रकन्या । केकयीतिवत्मयोगः । एतेन छान्दसः प्रयोग इत्यपास्तम् । द्विजातीत्युक्त्या शुद्रजातस्तु भागं स्वं लभते एवेति सिद्धम् । ननु भवतु तस्य तथा, तावताऽपि तेषां तत्र
सा द्वतः अत आह । यदीति । शुद्रापुत्रस्यैव शृङ्गग्राहिकया निषेधात् तेषां भागोऽस्तीति
१५ गम्यते इत्यर्थः ।

श्र्द्रापुत्रस्यांशदानपरम्ळस्य तदीयवचनान्तरिविषे तदीयन्य्नतां च परिहरित । यत्पुनः रिति । यत्त्वित्यर्थः । अस्योति शेषे षष्ठी । अपिरेतज्जातियस्मृत्यन्तरसमुचायकः । किमिपि किञ्चिद्पि । प्रदत्तं पसाददत्तम् । किचिद्वेमेव पाउः । अत एवाग्रे तथैव वक्ष्यते । एवं सर्वधा तथैवांशभाक् न भवतीति भावः ।

एतेनाचंद्रस्प्रद्रापुत्राविषयं तदिति मन्दोक्तमपास्तम् । तस्यापि प्रकरणादृद्रापुत्रविषयकत्वसम्भन्
 वाद्न्यत्र पागुक्तरीत्या भागानर्हत्वाच । दासस्थले तद्भावस्य वक्ष्यमाणत्वाच । तद्केकांशिति ।
 अत एव तत्र विशिष्य भूभागनिषेधोक्तिसाफल्यामिति भावः ॥ १२५॥

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### याज्ञवल्कीये १२६ श्लोकः।

सङ्गितिमाह । सर्वेति । घञजपः पुंसीत्यस्य प्रायिकत्वाच्छेषिमित्युक्तिः । यत्किञ्चित्, पद्यात्मकस् । परस्परेति । सेवैरेवेत्यर्थः । स्वीये स्वीये वाधकाभावात् सामान्योक्तिलभ्यमाह । समुदितेति । विभक्ते इति सितसप्तमी । तत्स्वारस्यादाह । विभागेति । यत्रेत्यस्य सर्वेविभागे इत्यर्थः । अत एव साकांक्षत्वाच्छेषमाह । यदिति । पुनःशब्दः अप्यर्थे पश्चाद्र्ये वा । ५ हत्यते इति पद्योक्तं बोध्यम् । स्थित्यर्थमाह । शास्त्रेति ।

अत्र चोति । अत्रापीत्यर्थः । अपिना पूर्वसमुचयः । अत्रेत्येव पाठे पूर्वं यथातथा ११८स्तु अत्र तु सर्वथा निषिद्ध इत्यर्थः । वदता योगीश्वरेण । एवमग्रेऽपि । उद्धारेति । 'ज्येष्ठं ११ श्रेष्ठे 'त्युक्त इत्यर्थः ।

केचित्तु विभागाहैं: समुद्रायद्रव्यापहारे कृतेऽपि तेषां न दोष इत्येतद्वचनतात्पर्यामित्याहुः। १० तत् खण्डयति । एविभिति । उक्तरीत्येत्यर्थः। उक्तरीत्या श्रुतसमांशविभागविधानादिमात्रेणैव वाक्यस्य साफल्येनाश्रुतदोषाभावपरत्वकल्पनस्यानौचित्येन समुद्रायद्रव्यापहारेऽपि तेषां दोषोऽस्त्ये- वेति भावः।

नन्वस्तु दोषः तथापि स ज्येष्ठस्यैव नान्येषां, मनुना तथोक्तत्वादित्याह । ननु मनुनेति । द्वेनान्यव्यवच्छेदः । तदेव स्पष्टार्थमाह । न कनीयसामिति । तद्धिनानामित्यर्थः । विनि- १५ कुर्वीत तिरस्कुर्यात् । वश्चयेत् इति यावत् । न तावदेवेत्याह । अभागश्चेति । एवमभेऽपि । नियमनं दण्डः । राजभिरिति बहुवचनेन देशान्तरगमनेऽपि तत्रत्यराजदण्डः सूचितः । वद्तेत्यस्य ननुनेत्यत्रान्वयः । वस्तुतस्तद्भावादाह । संभावितेति । बहुवीहिः । ज्येष्ठत्वमेव तद्धीजम् । अत एवाह । पित्रिति । तदुक्तं मनुनैव – (अ० ९ २छो० १०८।११०)

' पितेव पालयेत्पुत्रान् ज्येष्ठो भ्रातृन्यवीयसः । पुत्रवत्रापि वर्त्तेरन् ज्येष्ठे भ्रातिर धर्मतः ॥ १ 'यो ज्येष्ठो ज्येष्ठवृत्तिः स्यान्मातेव स पितेव सः। अज्येष्ठवृत्तिर्यस्तु स्यात् स सम्पूज्यस्तु बन्धुवत् ''॥ इति ।

ज्येष्ठस्यापीति अपिविंरोघे । वदता मनुना । ज्येष्ठपरतन्त्राणामिति षष्ठीततपुरुषः । ग्रंडेति । दण्डापूपिकसंबन्धिन्यायेनेत्यर्थः । रीत्येति पाठान्तरम् । अपूपानां समूह आपूपिकम् । अचित्तेति ' ठक् (ज्या. स्. ४।२।४७)। दण्डस्यापूपिकं दण्डापूपिकम् । तथा च यास्मिन्दण्डे आपूपिकं मोतं बद्धं वा स दण्डो यदि चोरादिभिरपहतस्तदाऽऽपूपिकमपि सुतरामपहृतं यथा, २५ वहद्त्रापि ज्येष्ठस्य दोषे तेषां सुतरां स इत्यर्थः । तथा च ज्येष्ठादिपद्मुपलक्षणमिति भावः ।

अञार्थे श्रुतिमपि मानत्वेनाह । तथा चेति । श्रुतौ वैशब्दो निश्वये । श्रुत्यर्थं प्रतिपाद्-मनुक्तार्थं सविशद्माह । यो भागिनमिति । गृहीतसर्वभागे तदसंभवात् अस्तीत्येतत्स्वारस्याचाह ।

१ 'तदस्यास्त्यिस्मिन्नितिमतुप्' इति ( व्या. सू. ५।२।९४ ) स्त्रे अस्तीतिपदस्यारस्यादित्यर्थः । अव इनिङनो ' ( व्या. सू. ५।२।११५ ) इति स्त्रेण मत्वर्थं इतिप्रत्ययविधानात् मतुष्टियायके तद्क्ष्यास्त्यस्यास्त्रिति स्त्रे च वर्तमानस्वार्थकस्य अस्तीतिपदस्य अवणात् इनिप्रत्ययस्य वर्तमानस्वार्थकतयाः गृहीतसर्वभागे भागवत्वस्यासंभवात् तदर्थकस्य इनिप्रत्ययस्य मागिनित्यत्रासंगितिः इत्याशङ्कय भागशब्दस्य भागाहिते लक्षणया तद्वस्वस्य मागिनित्यत्रासंगितिः इत्याशङ्कय भागशब्दस्य भागाहिते लक्षणया तद्वस्वस्य मागिनित्यत्रासंगितिः ।

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भागाईमिति । भागान्तुद्ते इत्यस्य व्याख्या । भागादिति । तस्य व्याख्या । भागमिति । भागिनितित्यस्य यमित्यादिरित्याशयेनाह । स चेति । चो व्युक्तमे वाक्यालङ्कारे इति भावः । स इत्युक्तं लक्ष्यार्थमाह । नाशेत्यादि । तृतीयवाक्यमाह । यदीति । स इत्यस्य चेनानुषङ्गः । आद्याथशब्दार्थमाह । तदोति । साकांक्षत्वादाह । तस्येति । द्वितीयाथशब्दार्थमाह । चोति ।

तत्र तस्य तद्भावं शङ्कते । अथिति । आवहतीति । जनयतीत्यर्थः । समुदायद्रव्ये स्व-स्यापि स्वन्त्वसत्वात् अपहारद्शायामपि स्वद्रव्यमित्येवं ग्रहणेनापहर्तुर्दोषो नेति भावः । अवर्जनी-यतयोति । परस्वत्वस्येत्यादिः । यथा तत्र स्वस्वत्वं तथाऽन्येषामपि तद्सत्येवेति तस्य वर्जनासम्भवात्तदृशायामन्यद्रव्यमपि सर्वथाऽपहृतमेवेति 'निषेधाश्च बलीयांस' इति न्यायेन परस्वं न गृह्णीयादिति निषेधशास्त्रानुप्रवेशाद्सत्येव दोष इत्यर्थः ।

१० अत्र दाढ्यीय दृष्टान्तत्वेन षाष्ठन्यायमुपन्यस्याति । यथिति । षाष्ठतृतीयपाद्षष्ठाधिकरणसूत्रं 
"विप्रतिषिद्धं चाविशेषेण हि तच्छुतिः " इति । तत्र अयि यो वे मापाश्र्वणकाः कोद्रवा इति 
श्रूयते । तत्र संशयः । मौद्गं चरुं निवेपदिति विहितमुद्गाभावे प्रतिनिधित्वेन मापा याह्या न वेति । 
तत्र पूर्वपक्षः । बीह्यभावे नीवाराः कोद्रवाः , मुद्गाभावे मापा याह्याः, तत्त्वेन जातिसादृश्याभावेऽव्यवयवसादृश्यात् । यत उक्तनिषेधो मापादिक्षपेण यहणे प्रवर्तते, न तु मुद्गावयवोपाद्गनेनाव१५ र्जनीयतया प्राप्तमाषायवयवक्षपेण, अतः प्रतिनिधित्वमेवेति । सिद्धान्तस्तु—मापादिजातीयस्य सर्वात्मना 
यज्ञसाधनत्वं तेन निरस्तम् । अयिज्ञिया माषा इति सामान्यश्रवणात् । अतो नान्तरीयका अपि 
माषावयवा वर्ष्या एव । तस्मात्यतिनिधित्वेन ते न याह्या इति ।

तदेतद्भिमेत्य तत्र तावद्धिकरणपूर्वपक्षं संगृह्णाह । मौद्भे इति । विकारे 'मुद्गाद्ण् ' इत्यण् ( व्या. सू. ४।४।२५ ) । विपन्ने नष्टे । पुनस्तद्दौर्लभ्ये मुद्गेति शेषः । मुद्गेति माषावयवानां तद्वय-२० वसाद्वश्येन तद्वयवबुद्धौव महणान्न स्वरूपेणेत्यर्थः । अथ सिद्धांतं तथाऽऽह । सुद्गेति । अयिज्ञिया इति सामान्येन माषजातिनिषेधात्तद्वुद्ध्या गृह्णमाणेष्वपि तेषु अवर्जनीयतया निषिद्धमाषजातीयावयवा अपि गृह्णान्ते एवेति निषेधमसर एवेत्यर्थः ।

उक्तन्यायोऽत्रापीति द्शीयन् तन्मतखण्डनमुपसंहराति । तस्मादिति । 'वचनं यो वै' इत्यादि न्यायः षाष्ठः ।

१५ एतेन-परस्वत्वज्ञानपूर्वकं स्वस्वत्वहेतुं विना स्वस्वत्वारोपकः स्तेन इति लोकप्रासिद्धोऽर्थः । न चार्च इदं मम इदं परकीयमिति विवेकः । द्रव्यस्याविभक्तत्वात् । तथा चात्र साधारणधने तदसम्भ-वादिद्मयुक्तमिति प्राच्योक्तमपास्तम् । मन्वर्थायज्ञानात् । प्रच्छन्नं वेति कातीयस्तेयलक्षणे द्रव्ये परसम्बन्धमात्रं विवक्षितमिति न तद्विरोधः । अन्योन्येति वचनबलात्तथेति तु न । तस्यार्थवत्त्वस्योक्त- त्वात्। एतेन कातीये परशब्दादात्मीयत्वव्यवच्छेदेनैव तत्स्वत्वापगम इत्यपि तद्वक्तमपास्तम् ॥१२६॥

#### याज्ञवल्कीये १२७ श्लोकः।

यथाश्रुते पूर्वसङ्गत्यभावादाह । द्वचामुख्यायणस्योति । तथा च तस्य पूर्वभागापवादभूत-भागविशेषोपयोगित्वमेव पूर्वसङ्गतिरिति भावः । धर्मतः शास्त्रतः । अस्य शाब्दार्थं तावदाह अपुत्रामिति । (याज्ञ ० १ । ६८ । ६९ )

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१ ख-क-फ-न च नेदं ममेरम्।

"अपुत्रां गुर्वनुज्ञातो देवरः पुत्रकाम्यया । सपिण्डो वा सगोत्रो वा घृताम्यक ऋतावियात् ॥ "आ गर्भसम्भवात् गच्छेत्पतितस्त्वन्यथा भवेत् । अनेन विधिना जातः क्षेत्रजोऽस्य भवेत्सुतः ॥ "

इति आचाराध्याये विवाहप्रकरणे मूलोक्तविधिनेत्यर्थः । स्वमन्वायनुरोधेनात्र शेषोऽयम् । भार्यायां पाणिग्रहणयोग्यायाम् । तत एव साकांक्षत्वादाह । गुर्विति । अपेनैष्फल्यं सूचयनाह । अभगोरिति । इत्यस्यार्थः इत्यस्य ज्ञाब्दोऽर्थः ।

नन्वेतावताऽपि द्यामुष्यायणपदानुकः कथमस्य तत्त्वमित्याशङ्कायां अपुत्रेणेत्यादिसूचितं तत्त्वमेव रिक्थयहणादौ निमित्तं नान्यदिति तत् सूचितं द्यामुष्यायणत्वमिति प्रतिपाद्यन् अपुत्रेणेन्त्यादेः प्रत्युदाहरणं च द्र्शयिष्यंस्तात्पर्यार्थमाह । यदाऽसाविति । तथा च इत्यस्यार्थ इत्यस्य मध्यमणिन्यायेनात्राप्यन्वयः । इति एवं वक्ष्यमाणोऽस्याभिप्रायार्थ इत्यर्थः । अपिः स्पष्टार्थः । एवमग्रेऽपि । पुत्रार्थं पुत्रोत्पत्त्यर्थम् । स इति । यत इति शेषः । तस्यैव व्याख्या । द्व्यामुष्यायण १० इति । अत इति शेषः । पत्युदाहरणमेवाह । यदा त्विति । तत्रापि विशेषमाह । स चेति । अद्यामुष्यायणश्चेत्यर्थः । तदानीं पुत्रमत्त्वे तद्भावेन तद्भावेऽपि अनन्तरं तन्नाशादन्यस्याधिकारि-णोऽभावात्तथाऽयमेवाधिकारीति सूचियतुमाह । नियमेनेति । पिण्डदो वेति वाशब्दः चार्थे ।

म्लानुक्तं विशेषं कथयितुं उदाहरणप्रत्युदाहरणयोर्मनुसंमितिमाह। यथोक्तमिति। तत्राधे तामाह। कियोति। यद्दिशेषकथनार्थं मन्नुक्तिः तस्य प्राधान्यं सूचयन्तप्रतीकधारणमिदं व्याच्छे। १५ कियोति। एवमग्रेऽपि। अत्र कियापदं विवक्षितम्। संवित्त्वरूपमाह। अत्रोत्पन्नमिति। अत्र क्षेत्रे। उत्पन्नम् उत्पत्त्यमानम्। संवित् प्रातिज्ञा एकवाक्यता। पंचम्यन्तार्थोऽयमित्याह। अङ्गीकरणादिति। क्षेत्रस्वामिनेति। विद्यमानेऽपि तस्मिन् षण्ढत्वाभिप्रायामिदम् । इद्मपि स्वरीत्येव। अन्यथा त्विद्मुपलक्षणमपि बोध्यम्। बीजार्थमित्यस्य व्याख्या वीजावपनार्थ-मिति। अर्थाद्वाह । बीजिने इति। यदः तद्वाकांक्षत्वाच्छेषेणाह । तस्मिन्क्षेत्रे इति। २० तस्येत्यस्यार्थमाह। उत्पन्नस्यापत्यस्येति। तत्र इहेत्यस्य शास्त्रे इत्यर्थः। तत्र प्रयोगस्यार्षत्वा- चद्वनुरोधेन स्वयमपि तथेवाह। बीजीति। भागिनावित्यस्य यथाश्रुतार्थासम्भवादाह। च्याभिनाविति।

द्वितीये तामाह तथेति । तुः उक्तवैलक्षण्ये व्युत्कमे च । निर्धारणे षष्ठीद्वयम् । अत एव बहुवचनम् , उदाहरणान्तरिववक्षया च । तथेत्यनेन तद्धे दीयते यत्र परक्षेत्रे यद्पत्यमुत्पाद्यते २५ इत्यस्याध्याहारः । तथा च क्षेत्रिणां बीजिनां च मध्ये उन्यतमेनापि फलमनिभसन्धाय तु यत्क्षेत्रं तेन तद्धे दीयते तत्र तेन यद्पत्यमुत्पाद्यते सोऽपत्यक्षपोऽर्थः क्षेत्रिणामेव । तत्र हेतुर्बीजाद्योनिर्बली-यसीति । तत्र हेतुः प्रत्यक्षमिति । तथा लोके दृश्यते इत्यर्थः । फलमत्र संविद्वपमित्याह अत्रो-राम्बिति । तत्र तस्य हेतुत्वार्थमाह यत इति । तत्र प्रत्यक्षमिति हेतुरिति सूचयन्नाह । गवेति ।

तद्प्युक्तं मनुनैव— (अ० ९। श्लो० ५४।५५)

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[&]quot; ओघवाताहृतं नीजं यस्य क्षेत्रे प्ररोहित । क्षेत्रिकस्यैन तद् नीजं न नप्ता लभते फलम् ॥ " एष धर्मो गनाम्बस्य दास्युष्ट्राजानिकस्य च । विहङ्गमहिषाणां च निरोयः पसनं प्रति " ॥ इति ।

#### मेघातिथिस्तु— (अ० ९।५१)

" तथैवाक्षेत्रिणो बीजं परक्षेत्रपवापिणः । कुर्वन्ति क्षेत्रिणामर्थं न बीजी लभते फलम् ॥ ''

इति अविशेषेणोक्तस्य क्षेत्रिणां फलं न बीजिन इत्यस्य विशिष्टविषयत्वमाह । "फलं त्विति । तयोमिंथो यत्र फलानिभसन्धानं तत्र क्षेत्रिणां प्रत्यक्षमर्थो निश्चितं फलम् । प्रत्यक्षसञ्देन निःसन्दिग्धतामाह । यतो बीजाचोनिर्बलीयसी । क्षेत्रमधिकं इत्यर्थः । अनिभसन्धाने क्षेत्रिणः फलमुक्तम् । अभिसन्धाने किं बीजिन उतोभयोरिति संशये उभयोरित्याह । कियेति । एवमेवैतिदिति यो निश्चयः सन्धिलक्षणः सा किया तद्ङ्गीकरणात् बीजार्थं बीजकार्यफलनिष्पत्त्यर्थं यद्दीयते साम-र्थाद् बीजामिति गम्यते तस्येदं द्वावपीत्याद्यर्थं १ इति व्याच्यस्यो ।

स्वमतमुक्त्वा प्राग्वद्ञापि आचार्यमतमाह। अत्रापीति । अपिना विवाहप्रकरणोक्तसमुद्ययः । १० इतरस्योति । विवाहिताविषयस्येत्यर्थः । तमेवाह । देवराद्वेत्यादिना साधव इतित्यन्तेन । तत्रादौ तस्या नियोगमाह । देवरादिति । तत्सकाशादित्यर्थः । सम्यक् यथाशास्त्रम् । ईप्सिता पुत्रक्ष्या । अधिगन्तव्या प्राप्तव्या । परिक्षये सित । अनेन आपडुक्ता । तस्य नियोगमाह । विधवायामिति । वाग्यतो मोनी । निश्चि गच्छन्सनेकिमित्यावर्थः ।

अत्र मेघातिथिः । सन्तानशब्देन पुत्रः, कार्यक्षमत्वात् । अनेनापदुक्ता । अए एव-(मनु० १५ अ० ९।५८)

" ज्येष्ठो यवीयसो भार्यी यवीयान्वाऽमजस्त्रियम् । पतितो भवतो गत्वा नियुक्तावण्यनापदि ॥ "

इत्यनेन मिथो भार्यागमने ज्येष्टानुजयोः पातित्यमनापदि सत्यपि नियोगे पूर्वमुक्तम् । नियुक्तस्य अपत्योतपाद्ने उनुज्ञातया गुरुभिः । तथा स्मृत्यन्तरोक्तः । सम्यगित्यनेन वश्यमाणवृताभ्यङ्गादिनियमानुवादः । 'गन्तव्येति ' विधो कृत्यः । ईप्सिताशब्देन कार्यक्षमतामाह । तथा च
२० दुहितिर अन्धविधरादौ च जाते पुनर्नियोगो उनुष्ठेयः । विधवाग्रहणमतन्त्रम् । क्वीबादिक्तपे पत्यौ
जीवत्यपि एष एव विधिः । यतो वश्यिति— (मनु० अ० ९।६३)

" नियुक्तौ यौ विधि हित्वा वर्तेयातां तुकामतः। ताबुभौ पतितो स्यातां स्नुषागगुरुतल्पगो ॥'' इति ।

निशीति पीत्याद्यालोकनानिवृत्त्यर्थम् । वचनान्तरेणैव दिवोपगमप्रतिपेधात् '' इति ।

पूर्वविहितनियोगप्रतिषेधमाह । नान्यस्मिति । पतिभिन्ने इत्यर्थः । नोद्वाहिकेिविति । २५ पूर्वशेषोऽरमर्थवादः । विवाहकर्मणि तत्र तत्र एवमेव मन्त्रप्रयोगः ।

" अर्थमणं नु देवं कन्या अग्रिमयक्षत । मया पत्या जरदृष्टिः मया पत्या प्रजावतीति "

नैवं श्रूयते, मयाऽत्र नियुज्यसे ततो जनयेति । ताहरामन्त्रग्रहणेन मन्त्रार्थवादा अपि नैवंविधाः सन्तीति द्शितम् । तदेवाह । न विवाहिविधाविति । अयमिति । अयमप्यर्थवाद एव नियोग- पितिषशेषः । अविद्वद्भिः सम्यक्शास्त्रमन्त्रालिङ्गाद्यनभित्तेरयं पश्चर्धमः सन्तत्यन्तमिति । सष्ट्रं पाल- मिपि प्रोक्तः पवर्तितः, सोऽपि इदानींतनो नानादिरित्याह । वेने राज्यं प्रशासतीति । सष्ट्रं पाल- यित सतीत्यर्थः । द्विजैहिं विद्वद्भिरिति पाठे विगहितोऽपि विद्वद्भिर्मनुष्याणां प्रोक्तः, पश्चनामेष धर्मो आवृद्धीगममं नाम, स च प्रवृत्तो वेनस्य राज्ये इत्यर्थः । तदेवाह । स महीमिति । अञ्चन् पाल- यन् । नतु सजर्षिप्रवरस्याविलमहीपालकस्य कथं तत्करणमत आह । कामोपहतेति । कामेनो- पहता चेतना यस्येत्यर्थः । स्पष्टार्थम् । अर्थवादमाह । तत इति ।

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मेघातिथिमतं खण्डयति । न चोति । अयं हि तदाशयः । नान्यस्मिनिति निषेधो मृतभर्तृ-काया एव न क्लीबादिजीवत्पतिकायाः तेन भिन्नविषयत्वमिति न । सन्तानविच्छेदस्य निमित्तस्य तन्न अवणेन तस्योभयत्र तुल्यत्वात् । घृताभ्यङ्गादिनियमस्यापि तत्राभावापत्तेश्च । तथा च विधिवत् निषेधेऽपि विधवाग्रहणस्यातन्त्रत्वेन निषेधस्याविशिष्टत्वेन देवराद्देत्यादिविधेः नान्यस्मिनिति निषेधस्य चैकविषयत्वलाभेन षोडशिग्रहणाग्रहणविद्यकल्पः । अयमपि अपत्योत्पादनविधेनित्यत्वे बोध्य इति ।

नियोक्तृणामिति । अयमाशयः । तुल्यार्थास्तु विकल्पेरिबत्युक्तेः समयोविकल्पः । अत्र तु

"अन्यस्मिन् हि नियुआनाः " इति तेषां निन्दाश्रवणानिषेषे च तद्भावान्न समता विधिनिषधयोः ।

किंच पुत्रेण लोकान् जयतीत्येवमादिफलोऽपत्योत्पादनविधिः । तथा चासत्यपत्ये तत्कार्यस्यौद्ध्वदेहिकादेरुपकारस्याभावात् सत्यपत्ये भावाद्भिन्नफलत्वम् । अतो न विकल्पः । षोडिशियहणादौ तूभयत्र निन्दाया अश्रवणादङ्गभूयस्त्वेन फलभ्यस्त्वेऽपि प्रधानकार्यसिद्धाविशेषाच्च समत्वेन तयो- १०
विकल्प इति ।

तत्र निन्दायाः प्राग्तकत्वेन व्यभिचारदोषांशे संयमप्रशासस्ये च मनुसंगतिमाह । यथा मनुरेवेति । प्रतिषिध्य निपेष्रतीत्यत्रान्वयः । अत एवाहेत्यपपाठः । दिविधमन्याश्रयणं, जीवनार्थं स्वर्गफलकपुत्रार्थं च । तत्राचे आह । काममिति । यथेच्छामित्यर्थः । क्षपयेत्, कृशीकुर्यात् । पुष्पिति । अबद्धपकृतित्वादेकवत् न । शुभौत्त्यनेन निषिद्धनिरासः । नामापीति । आश्रयणा- १५ दिकं तु दूरापास्तमेवेति भावः ।

द्वितीये आह । आसीतिति । आङ् मर्यादायाम् । अनेन नैष्ठिकवतमुक्तम् । क्षान्ता क्षमावती । नियता संयता । एकपत्नीनाम् । एकपतिकानां अरुन्धत्यादीनाम् । अनुत्तमं सर्वोत्कृष्टं नैष्ठिकत्वादेव । दृष्टान्तं वक्तुं वृत्तमाह । अनेकिति । कौमारिति । बाल्यादारभ्य तद्द्रत- चारिणामित्यर्थः । अत एव तत् दृष्टान्तेन द्रवयति । मृते इति । व्यवस्थितेति विना मध्ये विच्छे- २० दाभावः सूचितः । स्वर्गमिति । सूर्यमिति पाठान्तरम्, आर्चिरादिमार्गप्रदर्शकम् ।

एवं संयमपाशस्त्यमुक्त्वा तद्दोषमाह । अपत्येति । भर्तारं मृतं जीवन्तं च । इह भूलोके । तत्खण्डनं उपसंहरति । तस्मादिति ।

एवं उक्तमकारेण । धर्म्य इति । धर्माद्नपेत इत्यर्थः । अन्यथा तत्कथनस्य निर्विषय-त्वापत्तेरिति भावः । आहेति । मनुरेवेति भावः । अत्र सर्वत्र वर्तमानत्वं स्वव्यवस्थाकालापेक्षया २५ बोध्यम् । वाचा सत्ये कृते वाग्दाने निर्वृत्ते । एकेन वाचा द्त्ताऽन्येन तथैव प्रतिगृहीतेति वावत् । ननु एवमपि पाणिग्रहणाभावात्कथं पतित्वमाह । यस्मै इति । यमुह्रियेत्यर्थः । तत्पित्राद्ये इति भावः । प्रतिग्रहमिति । पाणिग्रहणामित्यर्थः । क्वित्तथैव पाठः । वचनात् प्रतिपद्पिठितमनु-वाक्यात् । अस्मादेव गम्यते इति पाठान्तरम् ।

" श्यालाः स्युर्भातरः पत्न्याः स्वामिनो दे्बृद्वेवरौ । " ( २।६।३२ )

इत्यमरादाह । ज्येष्ठः किनिष्ठो वेति । निज इत्यस्य व्याख्या सोदर इति । एव-मग्रेऽपि । पूर्वश्लोकोक्तम् " अनेन विधानेन " इति यद्यपि मेधातिथिना वक्ष्यमाणेन विधानेनेत्येवं

५ फल्सेनावनस्पतिमृगशकुनिक्षुद्रजन्तुभान्यतृणानां यहुप्रकृतिरेव इन्द्र एकवित्ति वार्त्तिकेन पहुप्रकृतिके एव
एकवद्भावस्य नियमात् प्रष्पमूलफलैरिसत्र पुष्पं च मूलन्य फलं चेति विग्रहकरणात् बहुपकृतिकत्वाभावेन नैकवद्भावः ।

तत्रैव योजितं तथापि तथा तत्रानुपयोगादाह। अनेनेति। गच्छेदित्यत्रान्वयोऽस्य। तस्या अपि विशेषान्तरमाह। शुक्कोति। व्रतं सङ्कल्पः। स च त्रिविध इत्याह। मनोवागिति। शुचित्वमाह। संयतामिति। मिथो इत्योद्नतमच्ययम्। तद्र्थमाह। रहसीति। आपसवादित्यस्य निषेषेन यथाश्रुतानुपपत्तेरर्थमाह। आगभैति। ऋतावृताविति। पृथक् पृथगित्यपपाठः। सङ्कत्सङ्कादिन्त्यस्य व्याख्या। एकैकवारमिति। भजेतेत्यस्यार्थो गच्छोदिति।

ननु तामनेनेत्यनेन विवाहस्य विहितत्वात्सा तद्भार्या, स च तत्पतिरिति दाम्पत्यसम्पत्त्या तद्धत्पन्नस्तयोरीरस एव स्यान्न पूर्वोक्तोऽत आह । अयं चेति । केवलं परार्थः स्वपरार्थो वा वाचनिको यथापूर्व तिन्नयमभिन्नो विवाहसंस्कार इत्यर्थः । अत एवाह । घृतेति । नियुक्ताभिगमने यथा
घृताभ्यङ्गादिकमङ्गत्वेन विधीयते तथाऽयं विवाहोऽपि नियुक्ताभिगमनेऽङ्गं न स्वातन्त्र्येण प्रधानकर्म ।
१० येन दाम्पत्यप्रसंगः । पुनर्भ्तवादूढाया भार्यात्वासम्भवात् । अत एव तद्ये मनुः—( अ० ९।७१ )
" न दत्त्वा कस्यचित्कन्यां पुनर्द्याद्विचक्षणः । दत्त्वा पुनः प्रयच्छन् हि पाप्नोति पुरुषानृतम्॥''इति।

'पुरुषेति । मनुष्यहरणे यत्पापं तत्तस्य भवतीत्यर्थः । तथा च दानाभावे कथं भार्यात्वम् । अतो न स औरसः पुत्रोऽपि तु क्षेत्रज एव क्षेत्रस्वामिनः संविद्भावे । तत्सत्त्वे तूभयोरपि । तत्रापि १५ बीजिन औरससमो नौरस इत्यप्रे स्फुटीभविष्यतीति भावः । तद्गह । अत इति । आगर्भग्रहणा-दित्युक्तेः सकुद्गमनोपदेशाच ' यस्मै वाग्द्ता तद्पत्यं भवतीति ' कुछूकभट्टः ।

इत्थमाचार्यमतं प्रतिपादितम्, ' अत्रापीत्यादिनोभयोरापि इत्यन्तेन '। यद्यप्यत्र तत्त्वेन नोक्तं किन्तु सामान्येन तथाप्याचाराध्याये स्वयं स्पष्टं तथैवोक्तमिति तथैव बोध्यम् । वस्तुतस्तु नेदं युक्तम् ।

२० "अद्भिश्च वाचा द्त्तायां म्रियेतादौ वरो यदि । न च तो दम्पती स्यातां कुमारी पितुरेव सा॥" हैति विसिष्ठविरोधापत्तेः । "न च मन्त्रोपनीता स्यात् " इति वृतीयपादे पाठान्तरं, "कुमारी पुनरेव सा " इति चतुर्थपादे । किं च वाग्दानोत्तरं वरे देशान्तरं गतेऽपि हि विशेषो नारदेनोकः स विरुध्येत । (अ. १२ श्लो. २४।२-३)

" प्रतिगृह्य तु यः कन्यां वरो देशान्तरं वजेत् । वीन् ऋतुन् समितकम्य कन्याऽन्यं वरयेद्वरम् ॥ २५ ' स्त्रीपुंसयोस्तु सम्बन्धाद्वरणं प्राग्विधीयते । वरणाद्भृहणं पाणेः संस्कारोऽपि विचक्षणेः ॥ "तयोरनियतं प्रोक्तं वरणं दोषद्र्शनात् " । इति ।

प्रतिगृह्य वाचा दत्तां स्वीकृत्य। संवत्सरमतीति पाठान्तरम् । स्रीपुंसयोः संसर्गात् पाक् त्रितयं क्रियते, वरणं पाणिग्रहणं सप्तपदीप्रक्रमश्चेति । तत्र वरणं नाम वरस्य सम्पदानत्वाय कन्यादात्रा पार्थनम् । तदेव च वाद्वानम् । एवं स्थिते तयोः पाणिग्रहणसप्तपदीप्रक्रमयोः पूर्वभावि ३० यद्दरणं तद्नियतमनियामकमित्यर्थः । तयोरेव भार्यात्वोत्पाद्कत्वादिति भावः । अत्र मनुर्तुपद्मेव स्फुटीभविष्यति । द्वेषेति । अस्यार्थः वरणस्यानियामकत्वगपि पूर्ववरस्य द्वेषे सत्येवेतीति । इदं च माधवीये स्पष्टम् । एतदेकवाक्यतयैव माधवेन—

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" क्रियत्वा तु यः कश्चित्पणक्येत्पुरुषो यदा । रक्तागमांस्त्रीनतीत्य कन्याऽन्यं वरयेत् पतिम् ॥"

इति कात्यायनोकं । प्रणश्येदेशान्तरं गच्छेत् अन्यथा प्रतीक्षावैयर्थ्यापत्तेरित्येवं व्याख्या-तम् । वरामिति पाठान्तरम् । मन्त्रोपनीता पाणिग्रहणमन्त्रजन्यसंस्कारवर्ता । इत्यं एतदेकवाक्यतयो-क्तारदीये ऋतुपदेन रजोदर्शनमेव न तु कालः । एवं च संवत्सरमतीति पाठान्तरमयुक्तमेविति बोध्यम् । तथा च पाणिग्रहणादिकं विना वाचा दानमिवाद्धिरिप दानं न भार्यात्वोत्पादकमित्यर्थः । कुमारी पितुः अन्यस्मै यादृशसम्बन्धेन पित्रा विवाह्यते तादृक्षितृसम्बन्धवती । तथा च न तस्या वैधव्यम् । एतत्परमेव यमवाक्यं पूर्वाध्याये उक्तं तादृशम् । तथा च पराशरोऽपि— " नष्टे मृते प्रविजते क्षीवे च पतिते पतौ । पश्चस्वापत्सु नारीणां पतिरन्यो विधीयते ॥ " इति ।

वाग्दानान्तरं पाणिग्रहणात्प्राक् पतौ सम्भावितोत्पत्तिकपैतित्वे पूर्वस्मिन्वरे नष्टे सित छक्षणया दूरदेशगमनेनापरिज्ञातवृत्तान्ते सतीत्पर्थः । एवं दुष्टे पूर्ववरे वाग्दत्ताऽपि वरान्तराय १० देयेत्यपि सिद्धम् । एवं च ''वाग्दत्ता, मनोदत्ता, अग्निं परिगता, सप्तमं पदं नीता, भुक्ता, गृहीतगर्भा, प्रसूता चेति सप्तविधा पुनर्भुः तां गृहीत्वा न प्रजां न धर्म विन्देदिति' वोधायनोक्तो वाग्दत्तामनो-दत्त्तयोनिषेधः पूर्ववरस्य निर्देषित्वे सित बोध्यः । अत एव नारदः— (अ० १२।३२)

''दत्तां न्यायेन यः कन्यां बराय न द्वाति ताम् । अदुष्टश्चेद्वरो राज्ञा स दण्ड्यस्तत्र चोरवत् ॥ '' १

इति तत्रैव दण्डं विधत्ते । प्रदानं स्वामित्वहेर्तुनं तु वाग्दानम् । तथा च **मनुः ।** कलार्थं स्वस्त्ययनं यज्ञश्चामां प्रजापतेः । प्रयज्यते विवाहेष प्रदानं स्वाम्यकारकम् ॥

"मङ्गलार्थं स्वस्त्ययनं यज्ञश्चासां प्रजापतेः । प्रयुज्यते विवाहेषु प्रदानं स्वाम्यकारकम् ॥ " (अ॰ ५।१५२)

" पाणिग्रहाणिका मन्त्रा नियतं दारलक्षणम् । तेषां निष्ठा तु विज्ञेया विद्वद्भिः सप्तमे पदे ॥ " इति । ( अ० ८।२२७ )

स्वस्त्ययनं कुशलेन कालातिवाहनहेतुः करणसाधनत्वात् कनकधारणादि स्वस्ति भवन्तो व्रुवन्तित्यादि च यत्, यश्च प्रजापतिदेवताको वैवाहिको होमस्तत्सर्वे मङ्गलार्थम् । अभिमतार्थसिद्धिर्मङ्गलं तद्र्थम् । निष्ठा भार्यात्वसमाप्तिरूपा । प्रतिगृह्य वाग्द्रानेन गते वरे ऋतुज्ञयप्रतीक्षणादिकं मुख्यप्रागुक्तकालाद्र्ध्वमिषि द्वाजा अदीयमानत्वविषयमेव । ''गम्यं त्वभावे दातृणा '' 'मित्यायेकवाक्यत्वात् । तस्माद्वाग्दानस्थले उक्त एव प्रकारभेदः । 'अपुजां गुर्वनुज्ञात ' २५ इति 'अपुजेण परक्षेत्रे ' इति च मूलं विवाहिताविषयमेव । तथेव च व्याख्यातं व्याख्याजा । मनूक्तन्वियोगोऽप्येतद्दिषय एव । अत एव तज्ञ विधवापदोक्तिस्वारस्यम् । "नान्यस्मित्रिति '' निवेधस्तु देवरसपिण्डसगोज्ञान्यविषयकः । कमोक्त्या स्वरसतस्तथैव प्रतीतेः। एतस्यैव पोषकं "नोद्वाहिकेष्विति '' मागुक्तनियोगान्यसामान्यनियोगाद्यभावबोधकम् । एकं पुजमित्यायुक्तपोषकमेव । अयामिति । अत एव पश्चधर्म इत्युक्तम् । स च वारं वारं नियोजनादिक्तपः । तदेव द्रद्वयति । तत इति । सामान्येनोक्त- ३० नियमानादरेण पुनः पुनस्तद्र्थं नियोजयतीत्यर्थः । अत एव व्यभिचारद्रोषश्रवणस्य संयमप्राशस्त्यस्य चोपपितिति न तदिरोधः। " यस्या भ्रियेतित " तु देवरसत्वेऽन्यसमे न देया किंतु तस्मा एव

देयत्येवंपरम् । अत एव " यथाविधीति " पद्यं सर्वे सफलम् । पुनरुपनयने विशेषवद्त्र पुनर्विवाहे न विशेष इति यथाविधीत्युक्तम् । अधिगम्येत्यनेन दांपत्यमुक्तम् । ग्रुक्केत्यादिना तस्यामदुष्टात्वं, भजेते-त्यनेन यावज्जीवं रमणायुक्तम् । अत एव आगसवादित्युक्तिवींप्साद्यं च । अन्यथा तस्य सामान्य-सिद्धत्वादेव वीप्सानर्थक्यं स्पष्टमेव । एवं च प्रधान एवायं विवाहो नाङ्गम् । अत एवानेन विधानेन विन्देतेत्युक्तम् । देवर इति पतिरिति च सूत्रशाटकवत् भाविसंज्ञ्या । प्राग्रुक्तकात्यायनीये पतिमिति-वत् । एवं च कुळूकभटोक्तमेव युक्तम् । एवं ग्रुक्तद्मरणे मनुः— ( अ० ९।९७ )

" कन्यायां दत्तशुल्कायां मियेत यदि शुल्कदः । देवराय प्रदातव्या यदि कन्याऽनुमन्यते ॥ "

इति । अनेन च तस्मै दानं स्पष्टमेबोक्तम् । यदि कन्येत्यनेन तथा तद्तुमतौ देवराय देया, तदन्यानुमतौ तदन्यस्मै देया, विवाहमात्राननुमतौ तु कस्मा अपि न देयेति, तया नैष्ठिकव्रतमेव १० कर्तव्यमिति सूचितम् ।

## ग्रुल्कद्ातुर्देशान्तरगतौ तु कात्यायनः-

" प्रदाय ग्रुत्कं गच्छेवः कन्यायाः स्त्रीघनं तथा। धार्या सा वर्षमेकं तु देयाऽन्यस्मै विधानतः ॥ '' " अथ प्रवृत्तिरागच्छेत् प्रतीक्षेत समात्रयम् । अत ऊर्ध्व प्रदातव्या कन्या ऽन्यस्मै यथेच्छतः ॥ ''

इति । अत्र धार्येत्यनेन धार्यत्वेन ततः पूर्वमिप देयेति सूचितस् । बहुभिनिंदें वैर्वरणे कृते १५ विशेषमाह स एव---

"अनेकेभ्योऽपि दत्तायामनूहायां तु यत्र वै । पुराऽऽगतश्च सर्वेषां लभेताची वरस्तु ताम् ॥ " " पश्चाद्दरेण यद्दत्तं तस्याः प्रतिलभेत सः । अथागच्छेत्समृढायां दत्तं पूर्ववरो हरेत् ॥ "

इति । वरो विवाहार्थोपस्थितस्तेन यच्छुल्कं द्त्तं तदेव लभेतेत्यर्थः । तत्र वै पुरागतश्च सर्वेषां लभते तदिमां सुतामिति पाठान्तरम् । अन्यस्मै द्त्तायां कन्यायां पूर्ववरोऽप्यायाति तदाऽ- २० नूढां तां लभते, ऊढायां तु स्वद्त्तं द्रव्यमेव लभते, न तु कन्यामित्यपि सिद्धम् । अत एव तस्मा- द्विज्ञानेश्वरीयम्लार्थपतिपाद्नमेव युक्तम् । अत एव न स्वपूर्वविरोधः । अञ्चापि प्राग्वत्तथावाच्ये तद्तुक्तिः प्राक् तथोकत्वात् । उक्तनिष्कर्षाकथनवीजं त्वस्य 'देवराच्च सुतोत्पत्तिरिति ' कलिवर्ज्येषु गणनात् अनास्थास्पमेव ।

"उद्दाहिताऽपि सा कन्या न चेत्संपाप्तमैथुना । पुनः संस्कारमर्हन्ती यथा कन्या तथैव सा ॥."
२५ इति नारदीयमपि ऊढायाः पुनरुद्दाहमिति कलिनिषिद्धमेव । न च कलिनिषिद्धस्यापि
युगान्तरीयधर्मस्यैव 'नष्टे मृते ' इत्यादि पाराशरं प्रतिपादकमस्त्वित वाच्यम् । 'कलावनुष्ठेयान्
धर्मानेव वश्यामीति' पतिशाय तद्यन्थप्रणयनात् । अत एव भगवता योगिश्वरेण अत्र आचाराध्याये
च संक्षेपेणैवोक्तं न तु मनुविद्दस्तृततयोति दिक् इति बोध्यम् ॥ १२७ ॥

पसङ्गसंगतिमाह । समानिति । तेषां । तेषां चेत्यर्थः । क्लाितः कल्पना । मुख्याश्च १० गौणश्चेत्यादिकसमासः । व्यवस्थां, नियमम्, बहूनां समनधाने एवमेवेत्येवंरूपम् । इक्रपामिति जातावेकवचनम् । स्वरूपाणीत्यर्थः । क्रमेणेति शेषः । अत एव वक्ष्यति इति अनुक्रम्योति ।

## ा शवल्कांचे १२८ श्लोकः ।

इद्मुपललणं लक्षणानामपि । अत्रीरस इति लक्ष्यं, धर्मेति लक्षणम् । आद्यमपि योगस्टम् । तत्र यद्यपि उरसि जातस्ततः प्रभवति वेत्येव शास्त्रीयशब्दः, तथापि— "अङ्गाद्ङ्गात्संभवसि हृद्याद्यि जायसे । " इति श्रुत्यनुरोधेन फलितार्थमाह । उरसो जात इति । यद्यपि यो धर्मपत्नीजः स औरस इत्याद्यहेश्यविधयभावस्तथापि योगार्थेन तस्य शातत्वानेन रूपेणोद्दिश्य सह्वर्धिवधानमित्याह । स च धर्मपत्नीज इति । यद्यपि मूले नोक्तं तथापि ' सवर्णायां परंस्कृतायामिति ' (२।२।१४) बौध्यद्यद्याद्यक्ति । स्वर्णोति । ननु नासौ मूलाक्षरार्थः । किं च स्वक्षेत्रे संस्कृतायामित्येवं मनुविष्णुवसिष्ठदेवलादिभिर्वहुभिरक्तमिति सवर्णेत्युपलक्षणमेन्वेकत्रत्याशयेन सर्वाभिनतमूलार्थमाह । धर्मेति । धर्मेत्यनेन यस्य यो न धर्मविवाहस्तद्दानिरासः । तथा च धर्मपत्नी द्विजानां द्विजेव, श्रुद्वस्य तु मुख्यपत्न्यभावेऽपि तन्नुल्या परिणीता । तस्यां जात इति । स्वस्मादिति शेषः । अत एव विष्णुना " स्वक्षेत्रे संस्कृतायां स्वयमुत्पादितः प्रथमः " १० इत्युक्तम् । मनुनाऽपि, ( अ. ९ श्लो. १६६)

" स्वक्षेत्रे संस्कृतायां हि स्वयमुत्पाद्येतु यम् । तमीरसं विजानीयात्पुत्रं प्रथमकल्पितम् । " इत्युक्तम् । एतद्र्थमेव धर्मपद्म् । तेन प्रतिलोमजानां न तत्त्वम् । तथा च पत्नीत्वं मुख्यमविवक्षितमिति सद्भाऽपि ताहृशी दिजानाम् । अत एव तज्जस्यौरसत्वं वक्ष्यते " सद्भापुत्र- स्वौरसोऽपि " इति भावः । अवतरणोक्तमुख्यत्वं प्रतिपाद्यति । औरसः पुत्रो मुख्य इति । तथा १५ च तद्भत् आसुराद्विववाहोढसवर्णापुत्रः, अनुलोमेन विवाहितक्षत्रादिस्त्रीषु विपादुत्पन्नो मूर्धाव- सिक्तः, अम्बष्ठो, निपाद्गपरपर्यायः पारशवश्च, वेश्यादिस्त्रियो राज्ञ उत्पन्नौ माहिष्योग्रौ च, सद्भायां वैश्यादुत्पन्नः करणश्चेत्येतेऽप्यौरसा एव । अत एव वक्ष्यति, मूर्धावसिक्तादीनामौरसेष्वेवान्तर्भावादि- तीति बोध्यम् ।

अग्रिमांशं सप्रतीकधारणं व्याचष्टे । तत्सम इति । इदं लक्ष्यम्, अवशिष्टं लक्षणम् । २० एवमग्रे सर्वत्रोभयं बोध्यम् । एतद्याख्याने बीजमाह । अत एवेति । यत औरस्याः पुत्रिकायाः सुतोऽत एवोरससमत्वं, न साक्षादीरसत्वं, व्यवहितत्वादित्यर्थः । इदं च दायग्रहणे न पिण्डदाने । इदमपि संवित्सत्त्वे एव नान्यथेति ध्वनयनाह । यथाहेति । संवित्करणे बीजमाह । अभ्रातृका-मिति । अञ्चता वा कृता वेति " (अ० ९ श्लो० १३६) मनुष्यत्र बोध्यः । एतेन दितीये साधकत्वेन तदुक्तिः केषांचिद्पास्ता । अयं मातामहस्यैव । तथा संविदा तु बीजिनोऽपि । २५ अत एव यमः,

" कुर्यान्मातामहश्राद्धं नियमात्पुत्रिकासुतः । उभयोर्थंसम्बद्धः स कुर्यादुभयोरापि ॥ " इति । तथा चायमपि द्वचामुष्यायणः । संविदंशे तत्त्वं तु अरोगिणीं भातृमतीमित्यत्रोक्तम् ।

वसिष्ठानुरोधेन, कर्मधारयस्य ततो लघुत्वाचाह । अथवेति । नन्धत्र मते तत्सम इति विरुद्धमव्यवहितत्वात्, अत आह । सोऽप्योरसेति । पित्रवयवानां तस्यामल्यत्वात् अवयवचाहुल्या- ३० भावेन व्यवहितत्वात्तत्त्वात्ति भावः । अत्र सम इत्युत्तयाऽस्यापि कलिवर्ज्यत्वं नेति स्फुटममे । तमेवाह । यथाहेति । तत् व्याच्छे । तृतीयः पुत्र इति । यसिष्ठेन तृतीयत्वेन पुत्रिका परिगणिता न मुल्कुतेति होयम् ।

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ननु द्वामुण्यायणः प्रामुक्तो बीजिनः किमौरस उत तत्समाचन्यतमोऽत आह । ट्यामु-द्यायणस्तित । औरसादपकृष्ट इति । औरससम इत्यर्थः । औरसापेति पाठान्तरम् । औरस-विशिष्ट इति पाठोऽप्येवम् । तत्र हेतुमाह । अन्येति । एतेन व्यवहितत्वाभावात्कथं तत्त्वमित्यपास्तम् ।

प्राग्वदाह । क्षेत्रज इति । सगोत्रेणेति । सवर्णेनेत्यादिः सर्वत्र । इतरेणेति द्विधा व्याचिष्टे । सिपिण्डेनेति । सगोत्रान्यसपिण्डेनेत्यर्थः । मूलस्थ एव वाशब्द इत्याह । वोत्पन्न इति । विधवा-याम् 'अपुत्रां गुर्वनुज्ञात' इति मूलोक्तविधिना नियोगधर्मेणेति शेषः। 'यस्या म्रियेते'त्युक्तेरिति भावः। पुत्रजननासमर्थस्य जीवतोऽपि पत्युर्नियोगेन तत्क्षेत्रे सवर्णात्तादृशाज्जातश्चेत्यपि बोध्यम् । अत एवात्र साधारणमुक्तम् । तथा च मनुः, (अ०९ क्लो०१६७)

" यस्तत्यजः प्रमीतस्य क्वीबस्य व्याधितस्य च । स्वधर्मेण नियुक्तायां स ज्ञेयः क्षेत्रजः सुतः ॥ ''
१० इति । अयं च क्षेत्रिण एव अनेन विधिना जात इत्युक्तेः । वीजिनोऽपि पुत्रेच्छायां तस्यापि।
'अपुत्रेण परक्षेत्रे ' इति मुळोक्तेः ॥ १२८॥

### याज्ञवल्कीये १२९ श्लोकः।

उत्पन्न इति । निश्चितपुरुषविशेषात्सवर्णादिति भावः । तदेवाह । हीनेत्यादि । सर्वमेकं वाक्यम् । अत्र तिनिश्चयाभावे न तस्याः किं त्वन्येषाम् । एवं तिनिश्चयत्तद्वारा । तया १५ तत्त्वरूपस्य ज्ञातत्वात् । यत्र तु बलाद्वहित निश्चि तमोवृतायां पुरुषान्तरसम्भोगात्साऽपि वर्णविशेषं न जानाति तत्र स गूढजनाममात्रधारी न पोक्तगूढजवत्प्रशस्त इति मद्नपारिजातकृत् । स त्याज्य एवेत्यन्ये । अयमिप क्षेत्रिण एव । तथा च मनुः, (अ. ९ श्लो ० १७०)

" उत्पद्यते गृहे यस्य न च ज्ञायेत कस्य सः । स गृहे ग्रूढ उत्पन्नस्तस्य स्याद्यस्य तल्पनः ॥'' इति ।

- १० पूर्वविदिति । पूर्वो यथा सर्वणजस्तद्वद्यमपि सवर्णज इत्यर्थः । कन्यकायामित्य-स्याविवाहितायामिति मात्रं नार्थः । तत्रापि पुरुषासम्बन्धे तत्ययोगद्र्शनात् । किं तु अमन्त्रवत्संस्का-पूर्वकक्षतयोन्यामित्यर्थः । तत्त्वमेव हि तत्यवृत्तिनिमित्तमित्यन्यत्र स्पष्टम् । अग्रे वक्ष्यते च । तद्नेतत् ध्वनयन् विकल्पमाह । यद्यन्द्देति । मध्यमणिन्यायेनाग्रेऽपि अन्वयस्चनार्थम् उभयसाधारणं
  निमित्तान्तरं भेदेनाह । तथोति । चार्थेऽयम् । तत्रैव संस्थिता चेत्यर्थः । अथोद्धेति । तत्रैव स्थिता
  २५ चेत्यर्थः । तथा च विवाहात्पागुत्पनस्तत्र मातामहस्य, तद्वत्तरमुत्पन्नस्तत्र बोद्धरिति सिद्धम् ।
  अत्रोभयत्र मनुसंगतिमाह । यथाह मनुरिति । पितृगृहे स्थिता कन्या क्षतयोनिः सुता रहो
  व्यभिचारेण यं पुत्रं जनयेत् कन्यासमुद्धवं तं तु नाम्ना कानीनं वदेत् स बोद्धर्भवतीत्यर्थः । अत्र वोद्धरित्युपादानाद्दिवाहिता चेत्तद् बोद्धर्नो चेन्मातामहस्यत्येतद्वस्यते । अत एव वसिष्टः (अ. १७
  ६. २१।२२) '' कानीनः पश्चमो यं पितृगृहेऽसंस्कृता कामाद्वत्याद्येत्स कानीनो मातामहस्य
  १० पुत्रो भवतीति ''।
  - " अपचा दुहिता यस्य पुत्रं विन्देत तत्पजा । पुत्री मातामहस्तेन द्द्यात्पिण्डं हरेद्धनम् ॥" इति च । अत्रापि एकस्यैवापुत्रत्वे तस्यैव, उभयोरापि तत्त्वे उभयोरपीति बोध्यम् ॥ १२९ ॥

### याज्ञवल्कीये १३० श्लोकः।

स्वरीत्यैवाह । पुत्रोऽक्षतायामिति । पत्या अभुक्तायां, भुक्तायां वा जीवता पत्या त्यक्तायां, विधवायां वेत्यर्थः । तथा च विष्णुः,

"या तु पत्या परित्यक्ता विधवा स्वेच्छयाऽथवा । उत्पाद्येत्पुनर्भूत्वा स पौनर्भव उच्यते ॥ " इति ।

अयं बीजिन एव । परित्यागेन मरणेन च भर्तुः क्षेत्रस्वत्वाभावात् । नियोगस्याभावात् ५ स्वेच्छाग्रहणाञ्च ।

मौलक्रमेणैवाह । मात्रेति । अस्याः पत्यसांनिध्ये दानेऽधिकारः । तच्च द्विविधम् । तत्रावे आह । भत्रेनुज्ञया प्रोषिते इति । तयैवेत्यर्थः । सिनिहितेऽनिधकारिणि वेत्यिप बोध्यम् । द्वितीये आह । पेते वा भर्तरीति । तथा चात्र स्वातन्त्र्यम् । तथा च वसिष्ठः, (अ.१५सू.१-२) " शुक्रशोणितसम्भवः पुत्रो मातापितृनिमित्तकस्तस्य प्रदानविकयत्यागेषु मातापितरौ प्रभवतः" इति । १०

मौलं पक्षान्तरमाह । पित्रा वेति । अनयोश्चायं विशेषः । उभयोर्जीवने अस्यापि पत्न्यनुमत्येव दातृत्वम् । अत्यन्तापदि तु कथंचिद्पि तद्नुमत्यलाभे स्वातन्त्र्यमपि । यद्यपि मूले एतावदेवोक्तं तथापि द्यातामिति मन्वनुरोधेन कैमुतिकन्यायेन च लब्धमर्थमाह । उभाभ्यां वेति । पुत्रस्य सवर्णत्वे प्रतिग्रहीतुरपि तत्त्वमर्थसिद्धमेवेत्याह । सवर्णायेति । सवर्णो य इति पाठान्तरम् । यस्मा इति । योऽत्यन्तदुर्गत्या भरणासामर्थ्येन । विधिपूर्वक इति शेषः । सः, प्रतिगृहीतसवर्णः । १५ तस्येति । प्रतिग्रहीतुरवेत्यर्थः । अयमद्भामुष्यायणः । व्यामुष्यायणोऽप्ययमस्तीत्यन्यत्र स्पष्टम् । तत्र मानं मनुमाह । यथाहेति । अत्र वाशब्द्रहिवचनयोः स्वारस्याद्ध्याहारेणार्थत्रयलाभः । तथा च भर्तरि प्रोषितादौ तद्नुमत्येव मृते वाऽऽपदि केवलमातुरिषकारो दाने, तथा मातरि मृतायामुन्मादादि-दोषयुक्तायां वा तद्नुमत्येव पत्रि सहेवेति बोध्यम् ।

तथा च विसिष्ठः, (अ. १५ सू. ५) ''न स्त्री पुत्रं द्यात्प्रातिगृह्णीयाद्वा उन्यत्र भर्तुर-वुज्ञानादिति ''। स्त्रीग्रहणात्पत्युः पूर्वोक्ते एव विषये स्वातन्त्र्यं द्योत्यते, न तु सर्वद् । उपक्रमितिः धात् । विशेषणे निषेधसंक्रमादाने इव प्रतिग्रहेऽपि स्त्रिया अधिकारः । होमस्तु न भवति ।

**इतिनकोपि, "** वन्ध्या वा मृतपुत्रा वा पुत्रार्थं समुपोष्य च।" इति ।

इदं च सधवाविधवोभयसाधारणम् इति स्पष्टमेव । एतेनात्र चशब्दः पठितुं युक्तो न वाशब्द २५ इत्यादि मेधातिथ्युक्तमपास्तम्। 'अद्धिरिति' विसिष्ठोक्तविध्युपलक्षणम् । सहशं,मितगृहीतृसवर्णम् । एतेन तत्त्वं न जातितः, किं तु कुलानुरूपैगुणैः । तथा च 'क्षत्रियादिरिप बाह्मणस्य दक्तो ' युज्यते इति मेधातिथ्युक्तमपास्तम् । सवर्णसदृशपठितस्यापि तत्त्वस्यैवौचित्यात् । 'सजाती-येषिति ' मूलोक्तेश्च । प्रीतीति लोभभयदेषादि। निरासार्थम् । इदं च देयपुत्रविशेषणम् ।

" विकयं चैव दानं च न नेयाः स्युरनिच्छवः । " इत्युक्तेः ।

वित्रम इति । 'त्रेर्मन् ' ( व्या. सू. ४।४।२० ) इत्यमिति साधुः । आप-वीत्यस्य दुर्भिक्षादावित्यर्थः । यतु तस्य प्रतिप्रहीतुरपुत्रत्वे इत्यर्थः । तथा च सपुत्रत्वे तस्येव होवः । " अपुत्रेणैव कर्त्तव्यः पुत्रप्रतिनिधिः सद्। । पिण्डोद्किकयाहैतोर्यस्मात्तस्मात्प्रयत्नतः ॥ "

इत्यञ्चादिस्मरणिदिति । तन्न । तथा सत्त्वेऽपि तद्गपत्तेर्प्रहणस्यात्रोपस्थापकाभावात् । तद्तेतत् ध्वनयन् तल्लब्धमर्थमाह । आपदिति । न देय इति । इति गम्यते इति शेषः । तत एवाह । दातुरिति । अनापदीत्यादिः । न प्रतिग्रहीतुरित्यर्थः । तथा च तत्र दाने तस्यैव दोषो न त्वस्येति भावः । इत एव सङ्गतेविशेषमाह । तथिति । न देय इति । नापि प्रतिग्राह्य इति शेषः । तथा च तथाकरणे उभयोद्धि इति भावः । वाशब्दः चार्थे । स हि सन्तानाय पूर्वेषामिति तच्छेषः । शौनकोऽपि,

" नैकपुत्रेण कर्तव्यं पुत्रदानं कदाचन । बहुपुत्रेण कर्तव्यं पुत्रदानं प्रयत्नतः" ॥ इति । अत्र नैकेति निषेधविधिः । ततोऽर्थलब्दार्थानुवादकमुत्तरार्द्धं, न तु सोऽपि विधिः । तथा १० सति आपचपि यथाकथित्रत्ववानिर्वाहेण तद्दाने दोषापत्तेः । प्रयत्नत इत्युक्त्याऽस्यावश्यकत्व-लाभेन नित्यविधित्वे निमित्तफलयोरनपेक्षयाऽऽपदाचनपेक्षत्वेन तत्रापि पद्करणे दोषापत्तेश्च ।

एतेन नैकेत्येव सिद्धे बहुपुत्रेणेत्याद्युक्त्या द्विपुत्रस्य तद्दाने नाधिकार इति लब्धमित्यपास्तम् । उक्तयुक्तेः । एकपुत्रस्य तद्दाने विसिष्ठोक्तस्य हेतोः स हीत्यादेस्तत्राभावाच । तस्मात्तदेकवाक्यतयाऽ-पि तथैव । अत एव बहुशब्दोऽनेकपर एव । प्रयत्नत इत्यपि विसिष्ठोक्तविधिपरमेवेति बोध्यम् । १५ तदेतत् ध्वनयन् विशेषान्तरमाह । तथाऽनेकपुत्रेति । अन्यथा बहुपुत्रेत्युक्तं स्यात् । तथा च वासिष्ठे एकं पुत्रमित्युपलक्षणम् ।

मनुमाह । ज्येष्ठेनेति । अस्य यथाश्रुतार्थो न निनक्षितोऽन्यनिरोधापत्तेः, अत आह । इति तस्यैवेति । अनेनेत्यर्थः । मुख्यत्वात्, मुख्यत्वपतिपाद्नात् । तथा च परलोकहानि-रेवेति भावः । अत एव स्मृत्यन्तरमपि, 'न ज्येष्ठं पुत्रं द्वादिति '।

२० अदिरित्यनेन स्चितमाह । पुत्रप्रतीति । निह्निह्नाद्धः, गृहस्य । " सन्देहे चोत्पने दूर शृद्धमिव स्थापयेत् । विज्ञायते ह्येकेन बहुन तसम्रायते" इति तच्छेषः । (अ.१५सू.७-८)। सित सम्भवे वन्धुसिक्कृष्टं, आतृपुत्रादिकम् । तद्भाषे अदूरवान्धवं, सिक्तिदेशवृत्तिपित्रादिकं ज्ञातकुल्हालिम् अन्यमिप । परीक्षितस्यापि कथित्रित् बाह्मण्यादिसन्देहे उत्पन्ने यावत्तनिवृत्ति दूरे स्थापयेत् तेन न व्यवहरेत् । अपुत्रस्य पुत्रीकरणावश्यकत्वयोतनाय श्रुत्याकर्षः । विज्ञायते इति । श्रूयते २५ इत्यर्थः । हि यत एकेनानै।रसेनापि पुत्रेण वहून् पित्रादीन् ततः नरकात् श्रायते इति अर्थः । किश्विद्द्रस्थसङ्ग्रहायाह । अदूरमिति । अनेनेत्यर्थः ।

द्त्तके उक्तपुत्रीकरणविधिं क्रीतादिष्वप्यतिदिशति । पवं क्रीतिति । पागुक्तं होमाभिषं सर्वमपि महणापादानमहीतृविषयकं नियमनिमत्यर्थः । यथायोग्यं दृष्टार्थत्वात् वसिष्ठेन विकयत्यागो-पादानाच । स्वयंद्ते तु होमोऽपि । तत्रापि मतिमहसत्त्वात् । एवमपविद्धेऽपि यथासम्भवं बोध्यामिति । भावः । अतिदेशवचनाभावेऽपि युक्तिरेव नियामिकेत्याह । समानेति ॥ १३० ॥

## गढ़हास्त्रोटे १३१ श्लोकः।

ताभ्यामिति मूलस्थस्य व्याख्या मातेति । ननु एवं मात्रा पित्रा वेत्यधिकमत आह । पूर्व-विदिति । तथा च तुल्यन्यायत्वात्तथोकावपि तल्लाभ इति भावः । तत एव चाह । तथकमित्याि ।

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'सवर्ण इत्यंशे मनुविरोधं परिहरति। यत्त्विति । मातापित्रोदन्तिकार् सकाशादित्यर्थः । तस्य, केतुरेव । सहशोऽसहशोऽथवेति पाठः । सहशोऽसहशोऽपि वेति पाठान्तरम् । न जात्ये-ति । बाह्मणत्वादिनेत्यर्थः । निषेधे हेतुमाह । सजातीयेष्विति । मूलकृतेति शेषः । तथा च तिहरोधात्र तथा व्याख्यानं किं त्वगत्या तथैवेति भावः ।

पुनःसिंहावलोकनन्यायेन सप्रतीकं व्याचि । क्रिजिम इति । तथा च मनुः—(अ. ९।१६९) ५ " सहरां यं प्रकुर्वीत गुणदोषविचक्षणम् । पुत्रं पुत्रगुणैर्युक्तं स विज्ञेयस्तु कृत्रिमः ॥ " इति । अयमपि तस्यैव प्रलोभनैरिति । तथा च पौढत्वमपि तत्र बोध्यम् ।

अत्र द्त्तात्मेति लक्ष्यिनिर्देशः स्वयं द्त्त इति लक्षणम् इत्याशयेनाह । द्त्तात्मा त्विति । त्यक्त इति । अकारणे इति शेषः । इति, इत्येवम् । स्वयंद्त्त इत्यस्यार्थः । उपनत इति । प्राप्त इत्यर्थः ।

अन्ये तु विपरीतो लक्ष्यलक्षणभावः । तथा च ताह्रशः तवाहं पुत्रो भवामीत्येवमात्मानं दत्तवान्पूर्ववत् गृहीतो यः स स्वयंदत्त इत्यर्थः ' इत्याहुः । तथा च मनुः, ( अ. ९।१७७ )
" मातापितृविहीनो यस्त्यको वा स्यादकारणात्। आत्मानं स्पर्शयेद्यस्मै स्वयं दत्तस्तु स स्मृतः ॥ '' इति ।

सहोढज इत्यस्य तया सह य ऊढो विवाहितो गर्भस्तस्माज्ञात इत्यर्थः । गर्भस्योढत्वात्त-स्याप्यूढत्विमित । सहोढ इत्यपि नामान्तरं मानवादौ, तत् ध्वनयन् ''गर्भे विच '' इति लक्षणं १५ शेषपूरणेन व्याचिष्टे । गर्भे स्थित इति । विच इत्यस्य व्याख्या परिणीतायामिति । अन्ये तु गर्भे स्थितः गर्भिण्यां परिणीतायां स्वीकृतः गर्भेण सह योढा पश्चात्तस्यां जात इत्यर्थः । 'ङ्यापो-रिति ' (व्या. सू. ६।३।६३ ) ह्रस्व इत्याहुः । सवर्णात्सम्भूतत्वं तु उभयथाऽपि बोध्यम् ।

तथा च मनुः, (अ.९।१७३)

" या गर्भिणी संस्क्रियते ज्ञाताऽज्ञाताऽपि वा सती। वोद्धः स गर्भो भवति सहोड इति चोच्यते॥" इति । 🤏

पुरुषसम्बन्धमात्राच कन्यात्वहानिः किं तु मन्त्रवत्संस्कारपूर्वकक्षतयोनित्वे एव, तद्भाव एव हिं कन्याशब्द्मवृत्तिनिमित्तमिति स्पष्टं 'कन्यायाः कनीनचेति ' सूत्रे (४।१।११६) महाभाष्ये । एवं च तस्या अपि विवाहसम्भव इति न दोषः । अत एव प्रागुक्तदिषिधकानीनसङ्गतिरिति बोध्यम् ॥ १३१ ॥

### याज्ञवल्कीये १३२ स्होकः।

प्रकान्तत्वादाह । मातेति । परित्यक्त इत्यर्थः । दोषाभावेऽपि भरणासामर्थ्येन मूल-जातत्वादिना वेत्यादिः । य इति । ज्ञातपित्रादिरित्यर्थः । गृह्यते, पुत्रत्वेनेत्यादिः ।

तथा च मनुः, (अ. ९। १७१)।

" मातापितृभ्यामुत्सृष्टं तयोरन्यतरेण वा । यं पुत्रं प्रतिगृह्णीयाद्पविद्धस्तु स स्मृतः ॥ '' इति । कृत्रिमादिषु विशेषमाह । सर्वेत्रेति । कृत्रिमस्ययंद्तसहोढजापविद्धेष्वित्यर्थः ।

एतेषां क्रमोऽपि विवक्षितो न स्वरूपमाञ्चित्याशयेन सङ्गतिमाह । एवमिति । यद्यपि पिण्डद् इत्यप्यस्ति तथापि पकरणादाह । दायेति । रिक्थेत्यर्थः । तत्कथनं त्वानुषङ्गिकमिति भावः । एषामित्यस्य व्याख्या पूर्वोक्ता-गाँद्धादि । संख्याया अनुकृत्वेऽपि विभागेनैव लामान वाह । हाइनाद्वादि ति । निर्धारणे षष्ठी। पूर्वाभावे इति वीप्सागर्भे ' सप्तपर्ण ' इतिवद्मिमांनुरोधेने-त्याह । पूर्वस्थे ति । परशब्दो नोत्कृष्टार्थ इत्याह । उत्तर इति । मौलक्षमेणाह । पिण्डद इति । तत्त्वमात्रमविवक्षितमित्याह । श्राद्धद इति । एकसंग्रहायाह । धनेति । चोऽन्वान्वये न तु समुचये इति सूचनाय व्याख्याने तत्त्यागः ।

प्रवायत्र प्रकरणाद्शहर इत्येगोचितमिति पिण्डद् इत्यसंबद्धम्, अथ आद्ध्यकरणेऽनुक्तस्वात्यकरणान्तरे सङ्कृत्यभावाद्त्रेव पुत्रप्रसङ्केन तद्ध्युकं लाघवादिति चेत्, एवमपि अन्ते वाच्यमागनत्नामिति न्यायात् नादाविति तथोका सङ्कातिरेव, तथापि पुत्राणां पिण्डद्त्वमावश्यकमदाने
प्रत्यवायश्रवणात् घनहरत्वं तु आनुषङ्किकमन्वाचयशिष्टं न तु मुख्यमिति, नापि तेषामंशहरत्वप्रयुक्तं
पिण्डद्त्वमिति अंशहरत्वप्रयुक्तपिण्डद्त्वस्यान्यत्र कचित्समानियतस्य शास्त्रीयत्वेऽपि पिण्डद्त्वप्रयु
१० कांशहरत्वस्य तथा न शास्त्रीयत्वमिति अनयोमियो न व्याप्यप्यापकभावो नापि सार्वत्रिकं समनैयत्यम् इति च सूचनार्थं भगवता योगिभ्वरेण 'पिण्डद्रोंऽशहरश्चे'त्युक्तम् । अनेनैवाशयेनावतरणे
प्रकरणसङ्कत्ये तथोक्तमप्यत्र व्याख्याने मौलकमेणेव व्याख्यातं व्याख्यात्रेति बोध्यम् । एवं सति
मन्वादिभिः पाप्तविरोधपरिहारद्वारा मूलं समर्थयन् तेषां व्यवस्थां दर्शयति । औरसेत्यादिना
अंदर्शनाभितत्यपन्तेनः ।

- १५ औरसेति । अस्य एवं सतीत्यादिः । औरसपौत्रिकेययोर्गियः समवाये इत्यर्थः । आद्या-ाल्टेडिक्ट् । इदं च पुत्रिकाकरणानन्तरमौरसोत्यत्तावेव सम्भवतीति बोध्यम् । तदेवाह । पुत्रिका-यामिति । पुत्रिकेव पुत्र इति दितीयार्थाशयेनाह । ज्येष्ठतेति । हि यतः स्त्रियाः पुत्रिकायाः ज्येष्ठता नास्ति ज्येष्ठस्येत्यायुक्तोद्धारादिकं नास्ति अतस्तथा यदि भवेत्तदा तत्र सम एव विभाग इत्यर्थः । अत्र सम एवेत्युक्तया औरसस्यैव सर्वधनग्रहणाभावेन मुलोक्तापषाद्त्वं मनोरिति भावः ।
- २० अपवादान्तरमाह । तथिति । यथौरसे सित पुत्रिकाया वंशभाक्त्वं तथाऽन्येषामपि क्षेत्रजा-दीनामित्यर्थः । अन्येषामित्यस्योत्तरेषामित्यत्रान्वयः । अन्यत्वं च पुत्रिकातः । उत्तरेषामिति स्पष्टार्थम् । अपिः पुत्रिकासमुज्ञये । पूर्वस्मिन्सत्यपीति पाठः । औरसे सत्यपीति तदर्थः । अयमपिविरोधे । पूर्वस्मिन्पूर्वस्मिन्सत्यपीत्यपपाठः । वक्ष्यमाणात् तद्लाभात् । तस्मिन्, द्त्तकत्वेनाभिमते । सत्सप्तमी । चेत्, यदि । उत्पद्येत, तदेति शेषः ।
- निवदं द्त्तकमात्रविषयमिति कथमन्येषामित्याद्युक्तिरत आह । द्त्तकिति । आदिना स्वयं-द्त्तपरिग्रहः । ननु तद्विशेषेऽपि तत्र यथाश्रुत एवार्थोऽस्तु अतः क्षेत्रजाद्येशेऽपि मानं स्चयज्ञाह । तथा चेति । अत्र सुता इति सामान्यबहुवचनान्तेनोक्तिस्तथा लाभ इति भाषः । सवर्णा इति पूर्वान्वयीत्याह । सवर्णा इति । आदिना कीतकृत्रिमस्वयंद्त्तापविद्धाः । सत्योरसे इति । तस्मिन्तुत्पत्रे सतीत्यर्थः । एवमग्रेऽपि । क्षेत्रजादीनां सवर्णाद्धत्पन्नत्वं स्वतः सवर्णत्वं चास्ति, कानीनादीनां तु तत उत्पन्नत्वेऽपि स्वतस्तत्त्वाभावस्य वश्र्यमाणत्वादाह । असवर्णा इति । अमशस्ता इत्यर्थः । सहोदसहोदजौ पर्यायौ, तथा मनुमूलोक्तिति । उक्ते तु सूचितमाह । न चतुर्थशिति । अनेनेदं सूचितं, यत्र शाब्द आर्थों वा अंशनिषेषस्तत्रेव ग्रासादि नान्यत्रेति । स्कुतीभविष्यति चेदमत्रे । किं त्विति । तथोः पात्रमृता इत्यर्थः । भागिन इत्युभयत्र पाठान्तरम्

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अत एव मनुः, ( अ. ९।२०२ )

" सर्वेषामपि तु न्याय्यं दातुं शक्त्या मनीषिणा । शासाच्छाद्नमत्यन्तं पतितो ह्यद्दद्ववेत् ॥ '' इति । न्याय्यं, यस्य यावदुपयुक्तं धनानुरूपं च । अत्यन्तं, यावजीवम् ।

नन्वेतावता औरसे सित क्षेत्रजादीनां तुर्प्याशभागित्वं कानीनादीनां प्रासादिभागित्विमिति लब्धं, तथा सित क्षेत्रजादांशे कानीनादांशे च मूलापवादत्वं सिद्धं यद्यपि, तथापि कातीयस्य विष्णु-विरोधः । कानीनादांशे तेन तेषां सामान्येनांशभागित्वाभावस्योक्तत्वात्कातीयेन विशेषस्योक्तत्वा-दित्याशङ्कां हृदि निधाय विरोधं परिहराति। यद्पीति । परमेवेति। कातीयेकवाक्यतयैवेति भावः । अत एव मूलस्यापि न विष्णुना विरोध इत्याह। औरसाद्यभावे इति । आदिना आद्यकोटियहणम् ।

नन्वेवमिप वासिष्ठादेर्मनुविरोधः, तेन द्त्तकादीनामिप तद्भागित्वस्योक्तत्वात् । अतस्तं पिहरति । यद्पीति । एक एव, मुख्य एव । हेतुगर्भविशेषणिमद्म् । वसुनः, धनस्य । अत एवाह । शेषाणामिति । द्त्तकादीनामित्यर्थः । शेषे षष्ठी । एवमेग्रेऽपि । न नृशंसो घातुको १० ऽनृशंसस्तद्भावः आनृशंस्यमयातुकत्वं पापाजनकत्वम्, अदद्त्पापमामोति, तद्धीमित्यर्थः । पुत्रिका-यास्तैनैव विशेषस्योक्तत्वात्क्षेत्रजस्य वक्ष्यमाणत्वाञ्चाह । दत्तकिति । तथा च कानीनादिवत्तेषामिप तत्त्वे सित ग्रासादिभागित्वमेव न तुर्योशभागित्वमिति वासिष्ठादेरपवादो मनुस्तत्रेति भावः ।

वश्यमाणमेवाह । तत्रेति । शेषाणां मध्ये इत्यर्थः । विशेष इति । कातीयतो विशेषः, शेषाणामिति मनुतो विशेषो, निर्गुणत्वप्रतिकूलत्वयोरवान्तरिविशेषश्चेत्यर्थः । एवं च क्षेत्रजस्यौरसप्रति- १५ कूलते निर्गुणत्वे चाविशेषः पूर्ववजास्तीति भावः । तेनैव, मनुनैव । दायं, धनम् । पञ्चम-मित्यादि पक्षान्तरम् । दत्तकादिवदुक्तपूर्ववाक्येन जीवनमात्रे प्राप्ते भागविकल्पोऽयम् । स चान्यथाऽनु-पपज इत्यवश्यं कल्प्यमाह । प्रतिकूलत्वेति । इदमपीत्यादिः । समुज्ञये, तयोः सद्भावे । एवं चैकवाक्यीयविकल्पोपपत्तये आवश्यकयुक्त्येव पूर्वः नुवाक्यस्याप्युपपितिरिति न तस्य तिद्दरोध इति भावः । एवं च क्षेत्रजस्योभयसन्ते षष्ठांश एकसरतत्वे पञ्चमांशस्तस्याप्यभावे कातीयचतुर्थो- २० शभागित्वम् । कानीनादीनां तु तत्र सित प्रासादिभागित्वमेव न चतुर्थोशभागित्वम् । पुत्रिकायास्तु तत्र सित समभागः ।

यत्तु गौतमीयं,(अ.२८ सू.३०-३२)''पुत्रा औरसक्षेत्रजदत्तकृत्रिमगृहोत्पन्नापविद्धा रिक्थभाजः। कानीनसहोहपौनर्भवपुत्रिकापुत्रस्वयंदत्तकीता गोत्रभाजश्चतुर्थोशभागिन '' इति, तत्र गुणवद्गुणव-दित्युक्तरीत्याऽऽद्यवर्गोक्ताः क्रमेण तद्धराः, द्वितीयवर्गमध्ये आद्यत्रयाणां तुर्योशभागित्वोक्तिरौरसामावे २५ पुत्रिकादिसस्वे च श्चेया । अन्यथोक्तस्मृतिविरोधो दुष्परिहर एव । पुत्रिकापुत्रस्य विषयो व्याख्यात्रैव वृक्ष्यते । स्वयंद्त्तकीतयोक्तत्वं तु औरसे सित उक्तरीत्या वासिष्ठाधेकवाक्यतयेव । एवं गृहोत्पनस्य रिक्थभाक्त्वोक्तिरिप औरसाद्यभावे शेयेति न कश्चिद्वरोधः। एवं मानवे मेधातिथिसंगतरिकांशोऽपि औरसे सित कानीनादिवद्यक्तकादाविप दोषद्वयसस्वे तद्न्यतरसत्त्वे च श्चेयः । रिक्थांशोति पाठे हु न कश्चिद्दोष एवेति तत्त्वम् इति एतज्ञिचविषयकं मूळवाक्यमिति सिद्धमिति बोध्यम् ।

मूलस्य वासिष्ठादेश्व मनुवचनान्तरविरोधं परिहरति । यदपीति । पुत्राणामिति । (मनु. अ. ९ । १५८)

"पुजान द्वादश यानाह नृणां स्वायम्भुवो मनुः । तेषां षद् बन्धुदायादाः षढदायादवान्यवाः ॥ "

इत्युपक्रम्येत्यादिः। श्लोकद्वयेनेति भावः। दायादेति। दायहरत्वं गोत्रहरत्वं चेत्यर्थः।तदेवाह। औरस इति । शौद्रश्चेति ( मनु. अ. ९।१७८)

" यं ब्राह्मणस्तु सद्भायां कामादुत्पाद्येत्सुतम् । स पारयभेव शवस्तस्मात्पारशवः स्मृतः ॥'' इति अत्रे तेनैवौरसादिपुत्रान् प्रतिपाद्य अन्ते लक्षितोऽयम् । पारयन् पिण्डदानादिना प्रीणयमपि शवस्तत्तुल्यः अनुपकारकः असंपूर्णोपकारकत्वात् । कामादिति त्वनुवादः कामतस्तु प्रवृत्तानामित्यस्य । मूर्थावसिक्तादीनां तु सम्पूर्णोपकारकत्वेनौरसत्वमित्यत एव शौद्रमात्रस्य द्वादशमध्ये मनुना पृथगणनं कृतम् । तस्य फलमनुपद्मेव स्फुटीभविष्यति । पुत्रिका तु एतत्पक-रणात्पूर्व पृथगेवोका मनुनेति स त्रयादेशः पुत्रः । अत एव ।

" पुत्रान् द्वाद्श यानाह नृणां स्वायम्भुवो मनुः--"

१० इत्यत्र तस्य न ग्रहणम् । अत एवौरमः क्षेत्रजश्चैनेत्यादिना तानुक्त्वा " यद्येकरिक्थिनौ " " एक एवौरमः " " पष्ठं तु क्षेत्रजस्य " इत्युक्त्वा—( मनु. अ. ९।१६५ )

" औरसक्षेत्रजो पुत्रो पितृरिक्थस्य भागिनो । दशापरे तु क्रमशो गोत्ररिक्तांशभागिनः ॥ ' इत्युक्त्वा ''स्वक्षेत्रे संस्कृतायामित्यादिना'' '' पारशवः स्मृत '' इत्यन्तेन द्वाद्शस्यरूपमुक्तम् तद्ये—( मनु. अ. ९।१८०)

(१५) "क्षेत्रजादीन् सुतानेतानेकाद्श यथोदितान् । पुत्रप्रतिनिधीनाहुः क्रियालोपान्मनीषिणः ॥''

इत्यत्रेते एव शौद्रान्ता मन्विभमता इति स्पष्टमेव । औरसक्षेत्रजाविति षष्टं त्विति पूर्वस्यानुवादो न विध्यन्तरम् । क्षेत्रजस्यौरससाम्याभावात् । गोत्रभागिनो रिक्तांशभागिनश्च । रिक्तांशः

प्रजीवनमात्रम् । सुख्याभावे हि प्रतिनिधिः । अत औरसे सति एते न कार्याः । क्रियालोपाद्धेतोः

क्रियायाः अपत्यमुत्पाद्यितव्यमित्यस्य विधेलोपो मा भूदिति । नित्यो ह्ययं विधिः स यथाकथंचित्

र० गृहस्थेन सम्याद्यः । तत्र मुख्यकल्प औरसः तद्सम्पत्तावेते उनुकल्पा इति मेधातिथिः । अद्गयादेति दृंद्दोत्तरं नञ्समास इति शङ्काशयः । तद्पीत्यस्य व्याख्येयमित्यत्रान्वयः । स्वेति । पूर्वोकपुत्रत्यर्थः । सपिण्डाश्च समानोद्काश्चेति दृन्दः । तदिति । स्विपतुः सपिण्डसमानोद्कान्यतरेत्यर्थः । तत्, तद्रिक्थहरत्वम् । एवं दृायादादिशब्दस्यार्थमुक्त्वा बान्धवशब्दस्य तमाह । वान्ध्य

वत्वमिति । पुनस्त्वर्थे । अस्यातिप्रसक्तवादाह । सपिण्डस्ते चोति । बान्धवत्वस्वस्तपमाह ।

२५ उद्केति । एवं च अद्ायाद्बान्धवा इत्यत्र नञ्समासं कृत्वा दृन्दः कार्यो न तु प्रागुक्त इति

भावः । एतेन प्रागुक्तमेधातिथिव्याख्यानमपास्तम् ।

एवं वचनद्दयन्याख्यानहेतुं तदुक्तिरूपमेवाह । गोत्रेति । दित्रमः द्त्तकः सुतः युतः जनयितुर्निवेक्तुर्जनकस्य गोत्रिरिक्थे गोत्रधनेन न भजेत् न प्राप्नुयात् । जनयितुरिति पञ्चमीति मेधातिथिः । तथा च तन्मरणिनिमित्ताशौचादिकमि न प्राप्नोति विवाहं विना । तत्र तद्गोत्रस्यापि १० परिहार्यत्वात् । अनेनान्यगोत्रस्यापि पुत्रीकरणममुज्ञातं भवाति । आपि तु यसौ दत्तस्तस्य गोत्रं धन-माशौचादिकं च दत्तकः पाप्नोति । तथा यतो गोत्ररिक्थानुगः "सगोत्रेण" इति "यो रिक्थहर " इति च स्मृतेः पिण्डः तद्दानं आद्दमिति यावत् गोत्ररिक्थेऽनुगच्छिति सः, यदीयगोत्ररिक्थे गृह्येते तस्म एव पिण्डोदकदानाद्यौध्वेदिहकिकिया, अतो ददतस्तद्दातुर्जनकस्य दत्तपुत्रकर्तृकस्वधा आद्धं

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व्यपेति । अर्थात्ततो निवर्तते । द्त्तकस्य जनकश्राद्धे नाधिकारः । तस्य तत् तेन न कर्तव्यमिति यावत् । ददत इति पश्चमी व्यपेतीत्यवान्वय इति वा । वस्तुतः पिण्डशब्दः सापिण्डयपरः । श्राद्ध- एरत्वे दद्तः स्वधेत्यनेन पौनकत्त्रयापत्तेः । अत एव शिष्टाः प्रतिग्रहीतृगोत्रेणैव तस्य सर्विश्रियानु- धानं कुर्वन्ति । प्रतिग्रहीतृसपिण्डा एव च तन्मरणादौ द्शाहाशौचमनुतिष्ठन्ति । प्रतिग्रहीतृकुले एव तत्सपिण्डीकरणाद्याचरान्ति । अत एवास्मादेव वचनाइत्तकस्य जनकसापिण्ड्यिनिवृत्तिरित्यभियुक्तै- व्याख्यातमिति बोध्यम् । एतच्च दातुः पुत्रान्तरादिसद्भावे । तद्भावे तु तस्याप्यसावेव रिक्थश्राद्धा- विषकारी । (याद्या- २ । १ २७)

" अपुत्रेण परक्षेत्रे नियोगोत्पादितः सुतः। उभयोरप्यसौ रिक्थी पिण्डदाता च धर्मतः॥ " इति न्यायसाम्यात्,

'' दत्तः पुत्रः पितुः कुर्याज्जनकस्य मृतेऽहनि । गयायां च ततोऽन्यत्र न पुत्रान्तरसनिधौ ॥ '' १०

इति शातातपस्मरणाच । इदमपि दानानन्तरं जनकस्यापुत्रत्वे । दानकाले त्वेकस्य दाननिषेषात् । एवमेव द्वचामुण्यायणदत्तकस्यापि उभयोपकारकत्वं बोध्यम् । अत एव द्विमः
किचिदिति पाठेन सहैकवाक्यताऽपि । अस्य सापिण्ड्यं परिवेदनदोषाभावश्चान्यत्र स्पष्टः । एष एव
न्यायः प्राग्वत् पुत्रीकरणाविशेषात् कृत्रिमादीनामपि बोध्यः । तदाह । इत्यत्र द्विमेति । औरसपृत्रप्रतिनिधिद्त्तककृत्रिमाद्रेष्ण्युपलक्षणार्थत्वादित्यर्थः । तथा च द्त्तकादीनां ततः पित्रादिरिक्थहरत्व- १५
प्रतितेः पूर्वपक्षोक्तरीत्या च तद्भावप्रतीतेर्मिथोविरोधाद्मामाण्यपत्तिरिति वचनानर्थक्याभियोक्तैव व्यवस्था
ज्यायसी । अत एवोक्तद्वाद्रापुत्रानुकत्वा देवलेनोक्तम्,

" एते द्वाद्श पुत्रास्तु संतत्यर्थमुदाहताः । आत्मजाः परजाश्चेव लब्धा याद्वच्छिकास्तथा ॥ "

" एषां षट् बन्धुदायादाः पूर्वेऽन्ये पितुरेव षट् । विशेषश्चापि प्त्राणामानुषूर्व्याद्विशिष्यते ॥ "

" सर्वे ह्यनीरसस्येते पुत्रा दायहराः समृताः । औरसे पुनरुत्पने तेषु ज्येष्ठयं न तिष्ठति ॥"

" तेषां सवर्णा ये पुत्रास्ते तृतीयांशभागिनः । हीनास्तमुपजीवेयुर्गासाच्छाद्नसम्भृताः ॥ ''

इतीति भावः ।

ननु तद्विशेषेऽपि द्विमग्रहणं नोपलक्षणमिति पूर्वोक्तमनुवाक्यद्वयं पितृधनाविषयकमेवास्तां, तावताऽपि मनोर्मिथो विरोधाभावात्। मूलकृता पितृधनस्थले उक्तत्वेऽपि मनुनाऽन्यव तवानुकत्वात्। एवं च पूर्वपक्षोक्तमेव द्वढं सम्पन्नम् । अतो मनुवचनादेव तथा प्रतिपाद्यितुमाह । पितृधनेति । २५ सर्वेषाम्, अग्रिमाणाम् । तदुक्तमेवाव हेतुमाह । न भ्रातर इति ।

" श्रेयसः श्रेयसा ऽलाभे पापीयान रिकथमहीति । बहुनश्रेत्तु सहशाः सर्वे रिकथस्य भागिनः ॥" (मनु. ९।१८४) इति अस्य पूर्वश्लोकः । इति, इत्यस्य । पुत्रा इति सामान्यबहुवचना-म्यामाह । सर्वेषामिति ।

नन्नौरसबहुत्वापेक्षमेव बहुत्वा मिति औरसा एव पुत्रा न ते पतिनिधिभूताः । किं च न ३० प्रांतर इत्यत्रत्यस्य पुत्रा इत्यस्य पित्रादिसाहचर्यान्मुख्यौरसपुत्रपरत्वमेवेति तदिषयकमेव पुत्रपद्ोक्त्या पितृषविषयकं तदस्तु । अत आह । औरसस्येति । वचनद्वयस्याप्येकार्थत्वे पौनस्कत्यापितिरिति

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भावः । ननु ' दिर्बद्धमिति ' न्यायेन दाढ्याय पुनस्तद्नुवाद्कमेव तदास्तामत आह । दायादेति । तथा च दायाद्शब्द्स्वरूपपर्यालोचनयाऽपि पितृधनपरत्वं तस्य नास्तीति भावः ।

किं च साहचर्यस्यासार्वत्रिकत्वेन पुत्रत्ववित्यन्ताद्रेरि गौणमुख्यसाधारणत्वेन च साहचर्यस्य दुर्वचत्वात्, अपि च श्रेयस इत्यमे पाठेन गौणपुत्रविषयत्वात्, श्रेयस इत्यनेनापि तत्प्रतिपाद्नाच्च, " ब्राह्मणस्यानुपूर्व्योणेत्यादिना पुत्रशतं भवेदित्यन्तेन " ततः प्राक्तनवचनकदम्बेन पितृधनविषयेंऽश-विभागकथनपूर्वे तद्धागित्वस्यौरसस्य प्रतिपादितत्वाच । तस्मादौरस इत्यादि तत्परमेवेति व्यवस्थापनं मनुसम्मतं युक्तमेवेति न मूलादिवचनानां प्राग्रक्तानां मिथो विरोध इति दिक् ।

नन्वेवमि मूलोक्तः संसंख्यः क्रमोऽयुक्त एव । स्मृत्यन्तरेष्वन्यथाक्रमस्य ससंख्यस्य प्रतिपादित-त्वेन तद्दिरोधात् । एवमुक्तवर्गद्दयप्रतिपाद्कमनुरिप स्मृत्यन्तरिवरुद्धः । तथा हि । तत्र ताव-१० दापस्पम्बधर्मस्त्रविवृतौ स्मृत्यन्तर्संग्रहः ।

" औरसः पुत्रिकाबीजक्षेत्रजौ पुत्रिकासुतः । पौनर्भवश्च कानीनः सहोढो ग्रूढसम्भवः॥ ''द्त्तः क्रीतः स्वयंद्त्तः कृत्रिमश्चापविद्धकः। यत्र क चोत्पादितश्च स्वपुत्रा द्श पञ्च च ॥ " इति ।

अत्र संख्याव्यत्ययः क्रमव्यत्ययश्च । तत्राद्यः सुपिरहरो यद्यपि, पुत्रिकापुत्रिकासुतौ द्वाव-प्येका कोटिः तथा बीजक्षेत्रजो यत्रक्रचनोत्पादितोऽप्येषामेवान्यतम इति त्रयाणामन्तर्भावे द्वाद्शत्व-१५ स्यैव सम्पत्तेः, तथापि क्रमव्यत्ययस्तद्वस्थ एव । **मानवे** तु, ( अ. ९ । १६५ )

" औरसक्षेत्रजौ पुत्रौ पितृरिक्थस्य भागिनौ । दशापरे तु क्रमशो गोत्ररिक्तांशभागिनः ॥ ''

इत्यत्र पुत्रिकामप्यौरससमत्वेनौरसे एवान्तर्भावयित्वा, तस्याः पूर्वे स्वातन्त्र्येणोक्तत्वात्तिस्रा एवात्र विवक्षिता वेत्याशयेन एताबुक्त्वा इतरे द्शेत्युक्त्वा तथैव क्रमेणोक्तानि तल्लक्षणानि । तथा हि ।

( अ. ९ श्लो. १६६–१७८ )

२० ' स्वक्षेत्रे संस्कृतायां तु स्वयमुत्पाद्तिश्च यः । तमौरसं विजानीयात्पुत्रं पाथमकल्पिकम् ॥

'' यस्तल्पजः प्रमीतस्य क्रीबस्य व्याधितस्य वा । स्वधर्मेण नियुक्तायां स पुत्रः क्षेत्रजः स्मृतः॥

'' माता पिता वा द्यातां यमिद्धः पुत्रमापदि । सहशं पीतिसंयुक्तं स होयो द्त्रिमः सुतः ॥

'' सहरां तु प्रकुर्याद्यं गुणदोषिवचक्षणम् । पुत्रं पुत्रगुणैर्युक्तं स विज्ञेयश्य कृत्रिमः ॥

'' उत्पद्यते गृहे यस्य न च ज्ञायेत कस्य सः । स गृहे गृढ उत्पन्नः तस्य स्याद्यस्य तल्पनः ॥

" मातापितृभ्यामुत्सृष्टं तयोरन्यतरेण वा । यं पुत्रं परिगृह्णीयाद्पविद्धः स उच्यते ॥

" पितृवेरमिन कन्या तु यं पुत्रं जनयेद्रहः । तं कानीनं वदेशाम्ना वोडुः कन्यासमुद्भवम् ॥

" या गर्भिणी संस्क्रियते ज्ञाताऽज्ञातापि वा सती। वोद्धः स गर्भो भवति सहोढ इति चोच्यते ॥

अशिणीयाद्यस्वपत्यार्थं मातापित्रोर्यमन्तिकात् । स कीतकः सुतस्तस्य सहशो ऽसहशोऽथवा ॥

" या तु पत्या परित्यक्ता विधवा वा यथेच्छया । उत्पाद्येत्पुनर्भृत्वा स पौनर्भव उच्यते ॥

" मातापितृविहीनो यस्त्यको वा स्याद्कारणात् । आत्मानं स्पर्शयेदस्मै स्वयंद्त्तस्तु स स्मृतः॥

" यं ब्राह्मणस्तु सुद्धायां कामादुत्पाद्येत्सुतम् । स पारयन्नेव शवस्तस्मात्पारशवः स्मृतः॥" इति ।

तल्पं दाराः । यथा गुरुतल्पग इति । " तल्पं शय्याद्वद्रोरिष्व " त्यमरः ( ३।३।१३० )। द्याधितस्य, अपतीकारराजयक्ष्मादिरोगाक्रान्तस्य । स्वधर्मेण पागुक्तेन । सदृशं, सवर्णम् । गुण-

द्रोषिवचक्षणं, प्रौढम् । अत एव पुत्रगुणैर्युक्तम् । न च ज्ञायेतेति । हीनाधिकपुरुषजत्वमन्तरेण सर्वणिजत्वनिश्चये अस्य पुरुषस्यायमित्येवं न ज्ञायेत चेत्यर्थः । मातुर्बहुगामिनीत्वे इदम् । यस्येति । यस्य तत्यजः स्यात्तस्य स इत्यर्थः । मातापितृभ्यामिति । बहुपुत्रतया भरणासामर्थ्येन केन चिहोषेण वेत्यर्थः । पुत्रं, तद्बुद्ध्या परिप्रहो न तन्नीवितेच्छया । येति । या ज्ञाताऽज्ञाताऽपि वा गर्भिणी सती संस्क्रियते इत्यर्थः । सहोद्ध इति । तया सहोद्ध इत्यर्थः । पुनर्भूत्वा, पुनर्गृहिणी भूत्वा । अकारणात्, पातित्यादिकारणाभावात् । अकारणे इति पाठान्तरम् । स्पर्शयत्, द्वात् । " विश्राणनं वितरणं स्पर्शनं प्रतिपादनम् " इत्यमरः ( २।७।२९)। स पारयन्निति । स पुत्रः पितृन् श्राद्धादिभिः पारयन् प्रीणयन्नपि अन्यपुत्रवद्पशस्तत्वाच्छवतुल्य इति पारशव इत्यर्थः । यद्यप्यस्य स्त्रद्वापुत्रस्य विवाहिताजन्यत्वेनार्नुलोमजत्वेन च मूर्द्धाविसिक्तादिवदौरसत्वम-विशिष्टं तथाप्युक्तरीत्या अपशस्तत्वेन ततो भेदेन तत्रागणनम् एतेष्ठ सत्सु तस्य सकलधनहरत्वाभावाद्व १० प्रकरणेऽन्ते परिगणनम् इति बोध्यम् ।

वासिष्ठे तु ओरसानन्तरं 'तद्छाभे नियुक्तायां क्षेत्रजो द्वितीयः, तृतीयः पुत्रिका विज्ञायते, पौनर्भवश्चतुर्थः, कानीनः पश्चमो, द्त्तकः षष्ठः, क्रीतः सप्तमः, स्वयमुपगतोऽष्टमो, अपविद्धो नवमो, गूढोत्पन्नो दशमः, कृत एकादशः, श्चद्यापुत्र एव द्वादशो भवती त्र्युक्तम् । (अध्याय १७)।

वैष्णवे तु '' औरसक्षेत्रजपुत्रिकापुत्रपौनर्भवकानीनग्रुढोत्पन्नसहोढद्त्तक्रीतस्वयमुपगतापविद्ध- १५ यत्रक्रचनोत्पादिता दाद्शे '' त्युक्तम् ।

देवलीये तु '' औरसपुत्रिकापुत्रक्षेत्रजकानीनगृढोत्पन्नापाविद्वसहोढपौनभर्वद्त्तकस्वयमुपगत-कृतिमकीता द्वादशे '' त्युक्तम् ।

नारदीये तु-( अ. १३। श्लो. ४५।४६)

"औरसः क्षेत्रजेश्वव पुत्रिकापुत्र एव च । कानीनश्च सहोदश्च ग्रुढोत्पन्नस्तथैव च ॥ " २० " पौनर्भवोऽपविद्धश्च द्त्तः कीतः कृतस्तस्था । स्वयं चोपगतः पुत्रा द्वादशैते प्रकीर्तिताः ॥" इत्युक्तम् । तस्मात्कमव्यत्ययकृतविरोधो दुण्परिहरोऽत आह—

वासिष्ठादिष्वित । अगुणवदिति । 'असुब्बत ' इति भाष्यप्रयोगवद्यं साधुः । अयं भावः । मनुना औरस इत्यादिना वर्गद्वयेनायस्य तत्त्वं दितीयस्य तद्भावं च प्रतिपाद्य तत्यस- द्वादेवाये स्वल्पव्यवधानेनौरसादिपुत्रस्वरूपप्रतिपाद्नेनोपकमानुसारेण तथोक्तिनं तु तत्त्वत एष क्रम २५ इति ज्ञायते । अत एव तत्र कमश इत्युक्तिरापि तत्परैवोति न सर्वथा तात्विकैतत्कमबोधिकाऽपि तु किसीश्चिद्विशेषे असत्येवासौ, विशेषे तु गुणवद्गुणवद्भूप एवेति । एवं स्मृत्यन्तरपाठस्यापि गतिः । युक्तियुक्तश्च मूलोक्तकमः । तथा हि । औरसपुत्रिकयोरौरसत्वात्तत्समत्वाच पागुक्तिः । क्षेत्रजगूदजिन्दितीयकानीनपौनर्भवानां स्ववीजक्षेत्रोत्पन्नत्वादेव द्त्ताद्यपेक्षया प्रावल्यम् । आद्यकानीनस्यापि स्वीय-कन्योत्पात्तिकत्वादेव ततः प्रावल्यम् । अवान्तरमपि तारतम्यं स्पष्टमेव सर्वेषाम् । एवमग्रेऽपि सहोढजस्य ३० स्ववीजाश्रयत्वेन परिगृहीतक्षेत्रोत्पन्नत्वेऽप्युत्तरषट्कयोगो गर्भोत्पत्तिकाले स्वक्षेत्रत्वाभावकृत एवेति सर्वमनवद्यमिति ।

इदमपि सर्वे युगान्तरविषयकम् । कलौ त्वौरसद्त्तकावेव औरससमत्वात्पुत्रिका च । 'द्त्तौरसेतरेषां तु पुत्रत्वेन परिग्रहः । 'इति माधवादिस्मरणात् । " एतानि लोकगुप्त्यर्थे कलेरादौ महात्मभिः । "

निवर्त्तितानि कर्माणीति चरमेणास्यान्वयः । शिष्टाचारोऽपि तथैव दृश्यते ।

केचितु औरसेन पुत्रिकासंग्रहवत् दत्तपदेन तत्समकक्षकीतस्वयंद्त्तकृत्रिमाणामपि ग्रहणम् । अत एव श्रेयसः श्रेयस इति मनूक्तिः,

५ 'स्वगोत्रेण इता ये स्युर्द्त्तकीताद्यः सुताः। विधिना गोत्रतां यान्ति न सापिण्ड्यं विधीयते।" इति वृद्धगौतमोक्तिः।

"द्त्तकीतादिपुत्राणां बीजवप्तुः सपिण्डता । सप्तमीं पश्चमीं चैव गोत्रं तत्पालकस्य च ॥ '' इति बृहन्मनुः ।

" औरसः क्षेत्रजञ्जेव दत्तः कृतिमकः सुतः"। इति कलिधर्मप्रस्तावे प्राइत्श्च १० सङ्गच्छते । " औरसादीनां सर्वेषां पुत्राणां पकृतत्वादौरसादीनुपकम्य तेषां पूर्वः पूर्वः श्रेयान्स एव दायहरः सः चान्यान्विभृयादिति " वैष्णवम्। औरसादिनां पुत्राणां पूर्वपूर्वाभावे परः परो रिक्थमर्हति पूर्वसद्धावे परसंवर्द्धनं स एव कुर्यादिति, तद्प्यपवादेतरिवषयम्। यदि तु समानक्तपा बहवः पुत्रास्तदा सर्वे एव विभज्य धनं गृह्णीयुरिति मनुत्र्याख्यातारः। यद्यपि मन्वादिकं युगान्तरपरतयाऽपि सुयोजं तथापि अन्त्यमन्यथा दुर्योजमेवेत्याहुः। वस्तुतो नियोगनिवेधेनैव क्षेत्रजनिवेधे तत्र क्षेत्रज १५ इत्यौरसिवेशेषणमावश्यकं यथा तथा कृतिमक इत्यपि द्त्तस्यैव विशेषणमिति बोध्यम्।

नन्वेषमि सूलस्य गौतमिवरोघ एव। तेन हि औरससमस्य पौत्रिकेयस्य द्शमत्वेन परिगणन कृतम्। तथा हि पुत्रा औरसक्षेत्रजदत्तकृत्रिमगृदोत्पनापविद्धा रिक्थभाजः कानिनसहोदपौनर्भवपुत्रि-कास्वयंदत्तक्रीता गोत्रभाजः चतुर्थाशभागिन इति । कानीनाद्गिनां तुर्योशभागित्वमत्रोक्तं चौरसाभावे पुत्रिकादिसन्ते च श्रेयम् । एवं क्षेत्रजाद्गीनामि तत् क्रमतो श्रेयम् । अन्यथा पूर्वविरोधो दुष्परिहर २० एव । स्वयंद्तक्रीतयोस्तत्त्वं वासिष्ठायेकवाक्यतया प्रागुक्तरीत्या । गूढोत्पनस्य तत्त्वमौरसाद्यभावविषयक्षित्र वोध्यमित्यत आह । गौतमीये त्विति । विजातीयोति । ब्राह्मणादेः सूद्रान्यक्षात्रिया-दिस्त्रियासुत्पन्नपुत्रिकापुत्रविषय इत्यर्थः।

तत्र परिगणनमाञोक्त्या क्रमानुक्त्या तन्मात्रपरमेव तत्सर्वे न तु क्रमपरम् । अतः क्रमो मूलोक एव । पूर्वाभावे परः पर इत्युक्तेरिति केचित् ।

२५ यद्यपि वेडणवादौ औरसादीनां प्रागुक्तानां प्रथमद्वितीयादित्वेन कथनात्, " एतेषां पूर्वः पूर्वः श्रेयान् स एव दायहर " इत्युक्तेश्च कमो विहित एव तथापि मूलोक्त एव युक्तियुक्त इति प्रागुक्तम् इति बोध्यम् । तदेतद्भिप्रेत्येव उपसंहरति । तस्मादिति ।

नन्वेवमिष मूलादेर्मनुविरोध एव । भातॄणामिति मनुना एकेन भ्रातुष्णृत्रेणैवान्येषामप्यपुत्र-भ्रातृणां पुत्रवत्त्वप्रतिपादनेन स पुत्र इति लाभेन मूलकृता च "औरसो धर्मपत्नीज " इत्यादिना ३० "पूर्वीभावे परः" इत्यन्तेन विभागकथनद्वारादिना द्वादशत्वस्य पुत्राणां प्रतिपादनेन द्वादशस्यो ऽधिकोऽन्यस्तत्र कथमयमन्तर्भृतः तथा द्वादशत्वासङ्गतेरित्याशयेनाह । यत्तु भ्रातॄणामिति । यत्तु, यद्पि । परिहरति । तद्पीति । परमतमाह । भ्रातुष्पुत्रस्योते । सम्भवे इत्यनेनान्यथा अन्येषा-मपि अवकाशः सूचित इति न तत्प्रतिपादकस्मृतिविरोध इति सूचितम् निषेधार्थमिति । तथा च तस्य दत्तकत्वमिति न विरोध इति भावः । नतु निषेधार्थिमित्यस्य निषेधाभिधेयकमित्यर्थः उत निषेधतात्पर्यकमित्यर्थः । नादः । शब्दासद्मतीतेः । नान्त्यः । तथा तात्पर्यस्य लक्षणां विना दुर्वचत्वेन वक्ष्यमाणरीत्या वचनोपपत्त्या
सुख्यार्थवाधाभावेन तथार्थे साधकस्मृत्यन्तराभावेन तात्पर्यानुपपत्त्याद्यभावेन च निष्पयोजनलक्षणाया
अनौचित्येन तद्शीसम्भवात् । तथा चेद्मयुक्तम् । अतो वक्ष्यमाणं स्वाभिमतमर्थे हृदि निधाय स्वमतेन
प्रकृतं विरोधं परिहराति । न पुनिरिति । न चेत्यर्थः । पुत्रत्वेति । अपुत्रभावृनिष्ठापितृता- प्र
निक्षपितपुत्रत्वेत्यर्थः । कन्यादिसत्त्वे इत्यादिः । अत्रैव तात्पर्यं न तूक्तार्थे इति अत एवेदम् उपपाद्पितुमत्र हेतुमाह । तत्सुता गोत्रजा इति । पत्नीदृहितरश्चेत्यादिनाऽत्र वक्ष्यमाणेन भ्रात्रभावे
प्रावृस्तत्त्य धनभाक्त्वं प्रतिपादितम् । यदि तु मनोस्तथाऽर्थः स्याचदा तस्याप्यौरसादितुल्यतया
पुत्रत्वेन सर्वेभ्यः पत्न्यादिभ्यः पूर्वमेव धनभाक्त्वस्य लाभेन तिहरोधः स्पष्ट एव । किं च तथा सित
अस्य कमपठितदाद्शामध्येऽन्तःपातस्य दुष्करत्वेन तद्ग्रे एव निवेशो वाच्यः । तथा च सर्वतो- १०
ऽत्रापक्रष्टत्वलाभेन वक्ष्यमाणस्मृतिकद्म्बिरोधापत्तेः । पक्रतसंख्याविरोधस्तु न दत्तः । शङ्काविषयत्वात् । न चेवमपि तथा सित त्रयोदशपुत्रत्वापत्त्या ' पुत्रान्दाद्शधानाहोते ' मनुविरोध एव छुतो
न दत्त इति वाच्यम् । तदाशयस्य वक्ष्यमाणत्वादिति भावः । एतत्तत्त्वमनुपद्मेव स्पुटीभविष्यतीत्यलम् ॥ १३२ ॥

# याज्ञवल्कीये १३३ श्लोकः (पूर्वार्धः)। १५

सङ्गितिमाह । इदानीमिति । उपसंहारमात्रपरत्वे पौनरुत्तयपरिहारेऽपि तथा चम-त्काराभावेनाह । ट्याजेनेत्यादि । तत्रेव, क्षेत्रजादिष्वेव । नियमस्वरूपं " सर्वे वाक्यस् " इति न्यायेनाह । समानेति । तद्धवच्छेद्यमाह । न भिन्नेति । तथा चैते सवर्णा एव युक्ताः पुत्रा भवन्ति । अत एव 'सवर्णायामिति ' बौधायनेनोक्तम् । एवं चैते क्षेत्रजादयो यद्यधिकवर्णा-दुत्पनाः तद्गाऽपि तन्नामधेयभाजो भवन्त्येव अपि तु सवर्णादुत्पन्ना इव प्रशस्ततरा न भवन्ति । २० सजातीयोष्विति सजातीयनियमात् । यदि हीनवर्णादुत्पन्नास्तदा प्रतिलोमजत्वेन निन्या एवेति बोध्यम् ।

तथा सित प्रसक्तपूर्विविरोधाभावाय कार्नीनादीषु सजातीयत्वमाह । तत्र चेति । तेषां पुत्राणां मध्ये इत्यर्थः । तथा नियमे सित चेत्यर्थो वा । ननु स्वतस्तत्कुतो नेत्यत आह । स्वर्षः प्रेशितः । स्वरूपतस्तेषां कुण्डगोलकयोरन्यतरत्वेन आद्यकानीनस्य व्यभिचारजन्यत्वेन वर्णजा- २५ त्यन्तर्भावाभावस्याचाराध्यायेऽभिहितत्वादित्यर्थः । अन्यथाऽनुपपत्त्या चेदम् । अन्यथा विरोधो दुष्परिहर एव स्यादिति भावः ।

नन्वेवमिप मूर्द्धाविसकादीनां दायहरत्वानुत्तया न्यूनता मूलादौ, तेषां तत्रानन्तर्भावात् । उपलक्षणतया तत्र तेषां यहणे प्रागुक्तरीत्या मध्ये दुर्गहत्वेन अन्ते ग्रहणे द्वादशाभावे तेषां दायहर-त्वापात्तः, उपसंहारविरोधापत्तिश्च, अतो उनुकं विशेषान्तरमाह तथेति । प्रतिलेमजन्यावृत्तये आह ३० अनुलोमोति । प्रागुक्ताशयेनाह औरसेष्टिवाति । तथा च परांशे एवायं नियमो न सर्वतः पूर्वशि इति तत्रासवर्णत्वेऽपि न बाधकमिति न शङ्कोक्तदोष इति भावः । अपिर्मुख्यपुत्रिकोभय-समुचायकः ।

एवं सित प्राप्तातिप्रसङ्गिनिरासाय वक्ष्यमाणमूलसङ्गतये च आदिना पारशवान्यस्यैव प्रहणमिति सूचयन् विशेषान्तरमाह शृद्धेति । अन्याभावेऽपीति । मुख्यौरसादिपुत्राभावेऽपीत्यर्थः । उभ-यत्र मानमाह । यथाहेति । मन्वर्थमाह । यदीति । यद्यपीत्यर्थः । किचित्तथैव पाठो वचनानुरोधी । पितेति शेषः । इदं च मृतपितृकधनविभागविषयकम् । अक्षरमर्याद्या तथैव प्रतीतेः । जीवद्विभागे तु प्रसादादाने एकांशः, प्रसादे तु तावदेवेत्युक्तं यत्पुनर्ज्ञाह्मणेत्यादिना । अत एव तद्विरोधो न । तदेतद्भिप्रेत्याह । तिस्मिक्तित । पितरीत्यर्थः । दैद्यादिति स्वारस्यादाह क्षेत्रजादिरित्यादि । दशमांशादिकामिति । न चेदं मनूकं दशमांशहारित्वं 'चतुस्त्रिक्षेकभागाः स्युर्वर्णश १ इति मूलोकेन श्रद्वापुत्रस्यकांशहारित्वेन विरुद्धमिति वाच्यम् । ब्राह्मणीपुत्रस्य चत्वारोंऽशाः, क्षत्रिया-पुत्रस्य वयः, वैश्यापुत्रस्य दौ, श्रद्वापुत्रस्यक इति मिलित्वा दशेति तत्रापि दशांशहारित्वस्यैवो- १० कत्वात् । तत्र श्रद्वापुत्रांशापेक्षया चत्वारो भागा बोध्याः । इतिः शाब्दार्थसमाप्ती ।

तात्पर्यार्थमाह। अस्मादेवेति । उक्तमनुवचनादेवेत्यर्थः । तदेव तथेत्यादिना प्रतिपादितमिति न तस्य निर्मुळता नापि कश्चित्तत्र विशेष इति भावः ।

# याज्ञवल्कीये १३३ ( उत्तरार्द्ध )-१३४ श्लोकीः ।

अत एव वक्ष्यमाणसङ्गतिमेवाह अधुनेति । पूर्वोक्तोपसंहारस्य सविशेषस्य कथनानन्तर-१५ मित्यर्थः । तत्प्रसङ्गेन, तत्प्रकरणेन । तद्वक्तव्यत्वस्याप्यावश्यकत्वात् । उत्पन्नः, सोऽपि । कामत इत्यस्य व्याख्या पितुरिति । एवं पूर्वार्द्धेन जीवत्पितृकविभाग उक्तः ।

### मनुरपि, (अ. ९।१७९)

" दास्यां वा दासदास्यां वा यः सूद्रस्य सुतो भवेत् । सो ऽनुज्ञातो हरेदंशमिति धर्मो व्यव-स्थितः ॥ '' इति ।

२० उत्तरार्द्धे द्वितीयविभागपरं स्पष्टमेवेत्याह । पितुक्तध्वीमिति । मरणादिति शेषः । परिणी-तापुत्राः, विवाहितापुत्राः । तदा ते भ्रातर इति पाटः । अर्द्धभागिकं, कर्मधारयान्मत्वर्थीयष्टन् । अर्द्धभागिनमिति पाठे इनिर्बोध्यः । अर्द्धत्वस्य सापेक्षत्वादाह । स्वभागादिति । तेषां प्रत्येकं यो भागोंऽशस्तत्रेकांशापेक्षयाऽर्द्धे समुदितद्रव्यात् द्वुरित्यर्थः ।

तृतीयार्द्धार्थमाह । अथिति । हरेदित्यनेन जन्मना पुत्रवत्तस्यापि स्वत्वं सूचितम् । दुहि-२५ तॄणामित्याधर्थमाह । यदीति । दुहितृसुतापेक्षया दुहितुः प्राथम्यस्य मूले वक्ष्यमाणत्वेन तत्सुत-सत्त्वेऽपि कृस्त्रप्रहणे किसु वक्तव्यं साक्षादुहितृसत्त्वे इति कैसुतिकन्यायासिद्धमर्थमाह । परिणीता-दुहितर इति । एवमेवाह । तत्पुत्रा इति ।

केचितु—दुहितॄणामित्यत्राभावे इति शेषः । सुतादित्यत्रापि पत्यासत्त्या तत्सवन्धः । 'गामश्व ' इतिवत्समुचय इत्याशयोऽस्येत्याद्धः । प्रत्यासत्तेरेवैतत्तात्पर्यार्थमाकांक्षितमाह । तत्स-३० द्भावे इति । अन्यंतरसद्भावे इत्यर्थः । युत्तयन्तरस्य वक्ष्यमाणत्वेनैतयुक्तमिति तत्त्वम् । अन्य-स्याश्रुतत्वात्तस्य च प्रकृतत्वेन बुद्धिस्थत्वमित्यत्रापि तथैवेति भावः ।

अत्र गृहजातप्रसङ्गात् दासविषये किश्चिद्नुक्तमुच्यते । तत्र तावद्दासाः पश्चद्श ।

१ दबादिति दानिक्रयायाः कर्त्राकांक्षत्वात् योग्यतया क्षेत्रजादेरेव कर्तृत्विमिति भावः ।

" गृहजातस्तथा कीतो लब्धो दायादुपागतः । अनाकालभृतस्तद्ददाहितः स्वामिना च यः ॥
" मोक्षितो महतश्चर्णादुद्धपाप्तः पणे जितः । तवाहमित्युपगतः प्रवज्याविसतः कृतः॥

"भक्तदासश्च विज्ञेयस्तथैव वडवाहृतः। विकेता चात्मनः शास्त्रे दासाः पश्चद्श स्मृताः"॥इति। वारदः।(अ. ५ श्लो.२६।२७।२८) तत्र गृहजादादौ विशेषमाहृतः—(मनु. अ. ९। १७९) मनुयाङ्गवल्क्यो, (याङ्ग. २। श्लो. १३३। १३४) "दास्यां वा दासदास्यां वा यः ग्लूहस्य सुतो भवेत्। सोऽनुज्ञातो हरेदंशमिति धर्मो व्यवस्थितः"॥ इति। " जातोऽपि दास्यां ग्लूहेण कामतोंऽशहगे भवेत्। मृते पितिर कुर्युस्ते भ्रातरस्त्वर्द्धभागिकम्। अभ्रातृको हरेत्सर्वे दुहितॄणां सुताहृते॥ " इति च।

तत्र द्रास्यां कस्यां चित् ध्वजाह्रतायुक्तलक्षणायां तादृशस्य द्रासस्य कस्यचित्सम्बन्धिन्यां वा यः शूद्रस्य सुतो भवेत् स पित्रा " परिणीतापुत्रैः समांशभागो भवान्भवतु " इत्यनुज्ञातः सम- १० मंशमीरसेन हरेदिति शास्त्रव्यवस्था नियतेत्यायर्थ इति कुल्लुकभद्धः । शूद्रस्यानृढायामनियुक्ता-यामपि जातः सुत एव । एवं ययपि द्रासस्य द्रासी तथापि वचनात्तस्यां जातो न द्रासस्य द्रासः सुतो वाऽपि तु स्वामिन एव सुतोऽनुज्ञातस्तेन समसंशमौरसेन हरेदिति मेधातिर्थिः । जीवत्पितृक-विभागेऽयं द्वितीयार्थां मिताक्षरायां स्पष्टः । तत्र द्वितीयेऽपिना क्रीताद्योऽपि समुच्चीयन्ते । यथा पाणिनीये (३।३।२) ' भूतेऽपी'त्यपिनाऽन्यकालसमुच्चयः । यथा वा,

" बलाहासीकृतश्रोरैर्विकीतश्र्वापि मुच्यते । "

इत्यत्रापिना ऽऽहितद्त्तयोरन्यपिठतयोः समुचयो विज्ञानेश्वरकृतः । न च अपिः पूर्व-समुचायक एवेति वाच्यम् । तं विनाऽपि मनुवत्तत्समुच्चयसम्भवात् । औरसान्यसमुच्चयस्यौरसेन समिति वदतो मेधातिथ्यादेः परिणीतापुत्राः सन्तीत्यादि वदतो विज्ञानेश्वरस्य चानभिमतत्वात्। द्तान्थेषां कलिवर्ज्यत्वेन शुद्धाणामविद्यत्वेन होमादिकरणासंभवाच पुत्रस्य दाने प्रतिग्रहे वाऽधिकार २० इति तदसंभव इति तत्तात्पर्यात् । अत एव—

'' तस्माच्छ्रदं समासाय सदा धर्मपथे स्थितम् । प्रायश्चित्तं पदातव्यं जपहोमविवार्जितम् ॥ " इत्याङ्किरसं,

" तूष्णीमेताः क्रियाः स्त्रीणां विवाहस्तु समन्त्रकः " । इति मूळं च सफलम् अन्यथा तयोस्तत्रानाधिकारां द्भवदुक्तरीत्यैव वचनान्तरविहितकर्मणां तयोरिप तद्दर्जनेन सिद्धौ तदानर्थक्यं २५ स्पष्टमेव । तस्मायत्र तद्रहितं कार्यमिति वचनमस्ति तदेव तद्रहितं तत्र भवति नान्यत् । न चेह तथा वचनमस्ति । न च—

" ब्राह्मणानां सपिण्डेषु शृद्धाणां शृद्जातिषु । सर्वेषां चैव वर्णानां ज्ञातिष्वेव न चान्यतः

" दौहित्रं भागिनेयं वा सूद्राणां चापि दीयते । सूद्रः सर्वस्वमेवापि अशक्तश्रेवथानलम् ॥ "

इति शौनकीयमस्त्येवेति वाच्यम् । तस्य कालिकापुराणैकवाक्यतया दत्ताख्यदासम- ३० तिपादने एव तात्पर्यात् । अत एव---

" ध्वजाहतो भक्तदासो गृहजः क्रीतकृत्रिमौ । पैतृको दण्डदासश्च सप्तेते दासयोनयः ॥ " (अ. ८।४१५) इति : न्याधुकद्तिमस्य सावकाशत्वम् । अन्यथा द्तिमयोः पुत्रदासयोविंविकत्वं न स्यात् । मन्त्रादिरहितविधिना पुत्रत्वमन्यथा दासत्वमिति तु न । पूर्वोकहेतोः । अत एव काल्ठिका-पुराणे अदासतिति च्छेद् इति केषाश्चिकत्पनाऽपि निरस्ता । अत एव तेषां दासत्वमितपादनार्थं न तु पिरसंख्यार्थमित्येवं मानवं व्याख्यातं व्याख्यात्रा । स्पष्टं चेदं वाचस्पातिगोविन्दार्णवादि-पित्वादे निवन्थेषु । बाह्मणिद्विये नास्तित्यादि तु दत्ताख्यदासत्वस्यैन बोधकम् । न च तत्र सुतपद्गन्न तथिति वाच्यम् । मानवेऽप्यत्र सुतपद्गन्तत्वात् । किं च मन्तृक्तितीयसमुच्चयानापत्तेः । एतेनोक्तसमुच्चायकत्वं तस्य नानुकसमुच्चायकत्वमित्यप्यपास्तम् । प्रागुक्तसमुच्चायकत्वं तस्य नानुक्तसमुच्चयानापत्तेश्च । स्मृत्यन्तरीयेषु मानवस्यैन समुच्यो न नारदीयस्यस्येत्यत्रापि तेन तयोः समुच्चयानापत्तेश्च । स्मृत्यन्तरीयेषु मानवस्यैन समुच्यो न नारदीयस्यस्यपास्तम् । फले संभवति तत्त्वकल्पनाया अन्याय्यत्वात् । एतद्र्थमपि नारदीयं पिराणनम् । अन्यथा अपिवैयर्थ्यं स्पष्टमेव । पाद्पूर्कत्वकल्पनापेक्षयोक्तमेवोचितम् । अत एव मनुना दासदास्यां वेत्यप्युक्तम् । विद्वानेश्वरस्त्वत्राप्यंशे उद्तिननः। एवं चान्येषामापि दासानां सूद्रस्वामिकधनांशहरणमुक्तरीत्या सिद्धम् । एवं सिति ''श्व्हाणां तु सधर्माणः सर्वेऽपघ्वंसाः स्मृताः । "

(अ. १०१४१) इति मनोरन्यत्राप्यवर्णेषु तादृशेषु तथा बोध्यम् । न च मनुविष्णवा-१५ दिभिः "अनन्तरः सापिण्डायस्तस्य तस्य धनं हरेत् " (मनु. ९११८७) इत्यादिना पत्यासत्तेरेवांशहरत्वे नियामकत्वस्थोक्तत्वेन गृहजातस्य तत्सत्त्वेऽपि क्रीतादिद्रासेषु तद्भावात्कथं तेषां तद्धरत्वमिति वाच्यम् । दत्तकीतादिपुत्रवद्त्रापि उपाधिना तत्संभवात् । भातरस्त्वर्द्ध-भागिनमिति " अश्रातृको हरेदिति "च तस्य श्रातृत्वातिदेशाच । मानवेन सुतत्वातिदेशाच । अन्यथा 'मृते स्वामिन्यात्मीयमिति 'विष्णूक्तं दासानां स्वामिमरणे सजातीयाशौचमपि न स्यात् । १० अत एव दासीगमने उन्यस्य दण्डोऽप्युक्तः,

" अवरुद्धासु दासीषु भुजिष्यासु तथैव च । गम्यास्विप पुमान्दाप्यः पंचाशत्पणिकं दमम् ॥ " प्रसद्धा द्वास्यभिगमे दण्डो द्शपणः स्मृतः " ( याज्ञा. २।२९०।२९१ ) इत्यादि ।

अत एव च भक्तदासस्य स्वामिना सह विवाद उक्तः । अत एव च तेषां प्रवज्यावसित-भिन्नानां दासत्वान्मुकौ कारणानि मोक्षक्रमश्चोक्तः—

२५ " बलाहासीकृतश्वीरैर्निकीतश्चापि मुच्यते । स्वामिपाणप्रदो भक्तत्यागात्तनिष्कयाद्पि ॥ ^{११} इति **मूले** (अ. २ श्लो. १८२)

- " यो वैषां स्वाविनं कश्चिन्मोक्षयेत्राणसंशयात् । दासत्वात्स विसुच्येत पुत्रभागं लभेत च ॥ "
- " अनाकालभूतो दास्यान्मुच्यते गोयुगं ददत् । संभक्षितं यहुर्भिक्षे न तच्छुच्येत कर्मणा ॥ "
- " भक्तस्योत्क्षेपणातायो भक्तदासः प्रमुच्यते । आहितोऽपि धनं दत्वा स्वामी यद्येनमुद्धरेत् ॥ "
- इ॰ "कणं तु सोद्यं दत्त्वा कणी दास्यात्ममुच्यते । कृतकाळव्ययगमात्कृतकोऽपि विमुच्यते ॥ "
  - " तवाहमित्युपगतो युद्धमाप्तः पणे जितः । मतिशीर्षपदानेन मुच्येरंस्तुल्यकर्मणा ॥ "
  - "निम्रहाइडवायास्तु मुच्यते वडवाह्नतः "।। इति **नारद्**श्च । (अ.५ श्लो. ३०—३६)

विनतायाः कबूदास्यान्युक्तिरापि वेनतेयकृता महाभारते स्वष्टा । (ना. अ. ५ छो. ४२।४३) " सं दासिमच्छेयः कर्तुमदासं पीतमानसः । स्कन्धादादाय तस्यासी भिन्यात्कुम्भं सहाम्भसा ॥ " " साक्षताभिः सपुष्पाभिर्मूर्द्धन्यिद्धरवािकरेत् । अदास इति चोक्त्वा त्रिः प्राङ्मुखं तमथोत्मृजेत् ॥ " इत्यन्ते अन्यः । तस्मात्यत्यासत्तेः सत्त्वात् युक्तं तस्यापि तद्धरत्वम् । किं च पुत्रत्वािद्-प्रयासत्त्यपेक्षया दासत्वप्रत्त्यासत्तिरुत्तमोत्तमा । अत एवोक्तं 'तेषां दासस्य दासोऽहािमति '।

अत एव च दास्यं नवविधभक्तिमध्ये गणितं, '' श्रवणं कीर्तनम् '' इत्यादि । तत्र तत्र मुख्याधिकारिणश्चोक्ताः, श्रीविष्णोः स्मरणे परीक्षिदित्यादि । दासविषये आशौचमपि ऋषिभिः प्रतिपादितम् । अत एव—

" छाया स्वो दासवर्गस्तु दुहिता कृपणं परम्" । इति मनूक्तिः (अ. ४ । १८५ )। सा चाचारे पप्रश्चिता । अत एव श्राद्धे दासानां तृष्ट्यर्थे भूमावुच्छिष्टान्नदानमुक्तम् । अत एव १० दासीनां वंशपत्रमित्यादिना मनुना विभाज्यत्वनिषेधः कृतः । न चैवं—
"भार्या पुत्रश्च दासश्च त्रय एवाधनाः समृताः । यत्ते समधिगच्छन्ति यस्यैते तस्य तद्धनम् ॥"
(अ. ८।४१६)

इति मनुविरोध इति वाच्यम् । एते त्रयोऽर्जितधना अपि अधना धनास्वामिनः, भर्त्रोद्रेव हि तत्र स्वामित्वं, ते यद्धनं अधिगच्छन्ति अर्जयन्ति तत्र स्वस्वामिस्वामिकत्वात् इत्यर्थनांशा १५ ग्रहणे भार्यादिवद्विरोधात् । पारतन्त्र्यपतिपादनपरतया मेधातिथिविज्ञानेश्वरादिभिव्याख्यात-लेन स्वस्वकर्मणस्तदनुज्ञया तत्सन्ते करणेऽपि तदन्तस्यापि तद्ननन्तरं स्वातन्त्र्यस्य निर्विद्यत्वाच । नत्रोऽल्पार्थत्वेनास्योपपत्तिर्वोध्या । अत्र भार्यादिसाहचर्यमपि तेषां तत्त्वे लिङ्गम् । "पुत्रः शिष्यस्तथा भार्या दासी दासस्तु पश्चमः । प्राप्तापराधास्ताङ्घाः स्यू रज्ज्वा वेणुद्लेन वा ॥ "अधस्तान्तु पहर्तव्यं नोत्तमाङ्गे कदाचन । अतोऽन्यथा तु प्रहरन् चौरस्याप्रोति किल्विषम् ॥" २०

इति मानवोक्तसाहचर्यमप्येवम् । (अ. ८ श्लो. २९९ । ३००)
यथा शिष्यस्य सर्वाभावे तद्धारित्वमेवं वर्णत्रये दासस्यापीत्यपि मनुतो लच्धम् । अत एव
"शुश्रूषकः पश्चिषः शास्त्रे दृष्टो मनीपिभिः । चतुर्विधः कर्मकरस्तेषां दासास्त्रिपश्चकाः ॥
"शिष्यान्तेवासिभृतकाश्चतुर्थस्त्विधकर्मकृत् । एते कर्मकरा ज्ञेया दासास्तु गृहजाद्यः ॥
"सामान्यमस्वतन्त्रत्वमेषामाहुर्मनीषिणः । " इति नारदः सङ्गच्छते । (अ. ५ श्लो. २-४) २५
अत एव तुल्यदण्डोक्तिरपि सङ्गता ।

" दासत्वात्स विमुच्येत पुज्ञभागं लभेत च । ( अ. ५।३० )

इति प्रागुक्त नारदीयमण्यञ लिङ्गम् । दायादुपागत इति पैतृक इति च तत्र गणनमपि गृह-जाताभिनानां तन्ते साधकम् । संबन्धसन्ते एव हि तथा । अन्यथा ऽसम्बद्धतं स्पष्टमेव । मनुनाऽपि गृहजस्य मध्यपाठेन सर्वेषां समत्वं बोधितम् । अत एव नारदीये पञ्चद्शत्वमपि तथैव बोध्यम् । किं ३० चौरससन्ते दासस्य तत्र सति समांशभागित्वं तदि्च्छया तदभावेऽपि चार्द्धभागित्वं, द्त्तकस्य तु औरससन्ते चतुर्थाशभागित्वमिति ततस्तस्य दुर्बलत्वमेव। किं च पत्न्यादिभ्योऽप्ययं प्रबलः। पत्नीत्यादितः पाक् पुत्रानन्तरं तद्दिषये जातोऽपीति योगिनोक्तवात्। पुत्रप्रकरणे एव 'औरसः क्षेत्रजश्चैवे'त्यादिना 'पारशवः स्मृत १ इत्यन्तेन प्रागुक्तक्रमेणोक्त्वा 'दास्यां वे'त्युक्त्वा 'क्षेत्रजादी'निति 'य एतेऽभिहिता' इति च 'भातूणामि 'त्यतः पाक् मनूकेश्च । अत एवाधुना स्प्रद्रधनिवभागे विशेषमाहेति व्याख्यात्रा अवतारितम् । विशेषपदेन पूर्वस्य त्रैवर्णिकमात्रविषयत्वमिति अत्र तिनरासः सूचितः । न वैवं दुिहृद्दौहित्रयोरत्र ग्रहणं कथमिति वाच्यम्, पाग्रक्तपुत्रिकासुत इत्यस्य व्याख्याद्वयाभिपायेण तथोकि-रित्याशयात् । तेन पाग्रक्तपतिनिधिमध्येऽत्र युगेऽयमेव पुत्रिकापुत्रः स्प्रद्वादौ प्रतिनिधिर्न दक्तकः इति सूचितम् । द्वौरसेतरेषां त्विति तु त्रैवर्णिकपरम् । परिग्रहपद्स्वारस्यात् । अत एव 'तत्समः पुत्रिकासुत' । इत्युक्तम् । 'पत्नी दुहितर' इति वक्ष्यमाणाशयेन तु नात्र तद्भहणम् । प्रथमोपात्तपत्नीत्यागस्य निर्मूळत्वापत्तेः । दौहित्रस्य साक्षात्तत्रानुपादानाच्च । अत एवात्र दौहित्या न ग्रहणम् । तथा च यथौरसो मुख्योऽन्ये प्रतिनिधयः एवमत्र गृहजातो मुख्योऽन्ये प्रतिनिधय इति सिद्धम् । एतद्र्थमेव तद्नन्तरमेतदुक्तिः । तथा चात्र दक्तको नैवेति साम्प्रतम् । तथा सन्नपि १० दास एव । अत एव व्याख्यात्रादिना 'परिणीतापुत्राः सन्तित्यावुक्तमि'त्युक्तम् । अत एव—

- ''द्त्ताद्या अपि तनया निजगोत्रेण संस्कृताः ॥ आयान्ति पुत्रतां सम्यगन्यबीजसमुद्भवाः ॥ '' पितुर्गोत्रेण यः पुत्रः संस्कृतः पृथिवीपते ॥ आचूडान्तं न पुत्रः स पुत्रतां याति चान्यतः ॥ "चूडाद्या यदि संस्कारा निजगोत्रेण वै कृताः । द्त्ताद्यास्तनयास्ते स्युरन्यथा दासतोच्यते ॥" इति कालिकापुराणं सङ्गच्छते ।
- १५ न्नाह्मणादित्रयेऽप्यङ्गवैकल्ये दासत्वं प्रतिपाद्यता तेन कैमुतिकन्यायेनान्यत्र तथा सित सुतर्रा तथाति सुतर्रा तथाति सूचितमिति दिक्।

एवं च ब्राह्मणादिस्थलेऽपि शिष्याद्यभावे दासः सर्वापहारी । तद्भावे श्रोजियादिः । अत एव 'सर्वाभावे ' इति तत्रोक्तम् । मानवं नारदीयं च साहचर्यमप्यत्र गमकमिति बोध्यम् । न चैवमपि यथा— (मनु. ९ । श्लो. ४८ । ५५ )

२० " गोश्वोष्ट्रदासदासीषु महिष्याजाविकासु च । नोत्पाद्कः प्रजाभागी तथैवान्याङ्गनासु च ॥ " इति । " एष धर्मी गवाश्वस्य दास्युष्ट्राजाविकस्य च । विहङ्गमहिषाणां च विज्ञेयः प्रसवं प्रति ॥

इति च मनुविरोध इति वाच्यम्, तत्रोत्पाद्कस्य स्वाम्याद्भिन्नस्यैव स्पष्टत्वात् । अत एव दासदास्यामित्यन वचनात्तथेति मेधातिथिनोक्तम् । किंच द्विजात्युत्पन्नस्यैव निरंशस्य भरणमुक्तं व्याख्यात्रा । याज्ञवल्क्यादिनाऽपि ' भर्तव्याः स्युनिरंशका ' २५ इत्यादिना तेषां भरणमुक्तं । स्रीस्थलेऽपि प्रतिबन्धकवशान्तिरंशत्वे भरणमुक्तं ' भरणं चास्योति ' वास्योति ' वास्योति ' वास्योति ' वास्यानि निरंशत्व । तद्दष्टान्तेनैव ' अनुकूलश्चेदिति ' वक्ष्याति व्याख्या- कृत् । तथा च यत्र कथमपि निरंशत्वप्राप्तिः तत्रैव भरणम्, अन्यत्रांशहरत्वमेव यथासम्भवम् । अत

" सर्वेषामि तु न्याय्यं दातुं शक्त्या मनीषिणा । श्रासाच्छाद्नमत्यन्तं पतितो ह्यद्दद्भवेत् ॥" इति मनुना 'अनंशौ क्लीबपतितौ"ःइत्यिश्रमेणाभरणे पातित्यमुक्तम् । 'अत्यन्त'मित्यस्य याव-जीविमित्यर्थः । तथा च श्रद्भादिस्थले परिणीतापुत्रपुत्रीदौहित्रसत्त्वे मृतिपितृकविभागेऽर्धभागित्वं दासस्य, असत्त्वे तु सर्वहारित्वम् । अत एव ' दुहितॄणां सुताहते ' इति दौहित्रमात्रपरतया मेधा-तिथिना व्याख्यातमि व्याख्यात्रोपेक्ष्य भेदेन व्याख्यातम् । दुहितृसत्त्वेऽि सर्वहारित्वम् । ' याव-इत्तनं वाचनिकिमिति ' सिद्धान्तात् ।

**एव--- (** अ. ९ । २०२ )

तद्यं निर्गिलितोऽर्थः । आद्यदासस्यौरसकल्पत्वं परिणयनाभावात् । अन्येषां दत्तककल्पत्वं, तत्र मन्त्रहोमयोरभावात् । तथा च तेषामन्यतमसत्त्वे मुख्यपुत्रादिसत्त्वे जीवत्पितृकविभागे तदि च्छया तत्समांशभागित्वम् । मृतिपितृकविभागे तृक्तमेव । एवं दुहितृदौहित्रसत्त्वेषि । एवं पत्नीसत्त्वेऽपि पुत्र-पौत्रदुहितृदौहित्राणामभावे सर्वग्राहित्वं, तद्भावे तु पत्नीसत्त्वेऽपि संमृष्टिनोऽविभक्तस्य भ्रातुः सर्वहा-रित्वं, तद्भावे तु पन्त्याः सर्वोशभागित्वमित्यादीति दिगिति । तदेतत्सर्वे हृदि निधायोक्तं ध्वनय-भेव व्यङ्गव्यार्थमाह—

अत्र चोति । मूले इत्यर्थः । लभते इत्यस्य इति गम्यते इति शेषः । ' ब्राह्मणादीनां तु दासीसुताः प्रजीवनभाजो न रिक्थहरा ' इति मेधातिथिरिष ॥ १३३ ॥ १३४ ॥

उक्तवक्ष्यमाणप्रमेययोः कठिनतरत्वात्तयोस्तात्पर्यार्थं सौकर्याय द्शीयंस्तत्र श्रोतृसमवधानाय पर्वेन सङ्गितिमाह । मुख्यगोणिति । गोणेत्यनेन दासानामपि संग्रहः । उक्तक्रमेणोति भावः । १० तेषामभावे इति । तेषां सर्वेषां बाह्मणादिवर्णानां मूर्द्भीवसिक्तायनुलोमजानां दासानां चेत्यर्थः । दायादाः धनग्राहिणः ।

## याज्ञवल्कीये १३५।१३६ श्लोकौ ।

पत्नीत्यत्र एवकारस्य सर्वत्र प्रत्येकं सम्बन्धः । तेनाद्यादिसत्त्वे द्वितीयादिव्यावृत्तिः । चेन दौद्वित्रसमुचयः । 'भ्रातर' इत्यत्रेकरोषेण भगिनीनामपि ग्रहणं बोध्यम् । तथिति भ्रातृविरोषणं विभक्ता १५ असंसृष्टिनश्चेत्यर्थकम् । अत एव सफलम् । न तु समुचयाद्यर्थकम् । तं विनाऽप्यन्यत्रेवाज्ञापि त-त्मतित्या तथा साफल्याभावात् । 'तत्सुता' इत्यत्र तयोः सुता इत्यर्थः । 'सुता ' इत्यत्र तथैकरोषेण तयोः कन्यानामपि ग्रहणम् । बन्धुराब्देन बान्धववद्याचार्यस्य गुरोरापि ग्रहणम् । तस्यानेकार्थत्वात् । हिः त्वर्थे पूर्वतो वैलक्षण्यसूचकः ।

'अपुत्रस्य ' इत्यत्र मुख्यपुत्र स्त्यत्वमात्रं न विवक्षितं प्रकरणविरोधात्, किंतु मुख्यगौणपुत्राणाम- २० भाव एवेत्याशयेन तृतीयपाद्स्य अग्रेऽन्वयासंभवात् पूर्वेकवाक्यतामाह । पूर्वोक्ता इति । एषा- मित्यत्रापि तथेकशेष इत्याह । पत्न्यादीनामिति । इदमो न बुद्धिस्थप्रत्येकपरामिशित्वमित्याह । अनुक्रान्तानामिति निर्धारणे षष्ठीत्याह । मध्ये इति । अग्रिमानुरोधेन पूर्वस्योति वीप्सागर्भ- मित्याह । पूर्वस्य पूर्वस्येति । उत्तरोत्तर इति संबन्ध इति पाठः । उत्तरोत्तरो धनभागिति संबन्ध इत्यपाठः । पौनरुक्त्याद्नन्वयाच्च । तथा पाठे तु तदीयधनभाक्त्वमुद्दिश्य तेषां तथोत्तरोत्तरत्वस्य २५ विधानाच दोषः ।

अत्र पुत्रग्रहणं पौत्रपपीत्रयोरप्युपलक्षणम् । जीवति मृते च पुत्रे पौत्राणां भागस्य ' भूर्या पितामहेति ' ' अनेकपितृकाणामिति ' चोक्तत्वात् ।

" अविभक्तविभक्तानां कुल्यानां वसतां सह । भूयो दायविभागः स्यात् आचतुर्थादिति स्थितिः" इति देवलात् । "अपुत्रपौत्रसंताने दौहित्रा घनमामुयुः" । इति विष्णुः । पितौ 'सवर्णायाः ३० पुत्रः पौत्रः पुत्रपौत्र' इत्युपकम्य "सत्स्वन्येषु तद्गामीति" बौधायनोक्तेश्च । (१।५।९५।९७) एवं पाद्त्रयैकवाक्यार्थमुक्त्वा तुर्यपादार्थमाह । सर्वेष्विति । सर्वशब्दो न वर्णविशेषणम्,

न्ह्रोकः १३५]

अपि तु स्वतन्त्र इति सर्वे च वर्णाश्चेतीतरेतरदंद इति भावः । क्रम इति । इदं क्रमपरमेव हीति स्पष्टमिति भावः ।

उक्तकमं विभज्य विविच्य द्शियति । तन्नेत्यादिना । तत्र पत्न्यादीनां मध्ये । प्रथमं तथोपादानात् । तद्र्थमाह । विवाहसंस्कृतेति । धर्मविवाहपूर्वकश्रोतसार्तकमंसहाधिकारवतीत्यर्थः । तद्तत् ध्वनयसाह । पत्युनीं यहोति । स्मरणात्, पाणिनिस्मृतेः । (४।१।१३३) पतिशब्दस्य नकारादेशो भवति यज्ञसंयोगे गम्ये । दंपत्योः सहाधिकारेण यज्ञसाधनत्वात्तर्कर्तृकयज्ञफलभोक्नीत्वाच्च तस्या यज्ञसंयोगः । 'यज्ञसंयोगे 'इत्यस्य यज्ञेन संबन्धे इत्यर्थः । स्त्रिया इति शेषः । संयोगपदं संबन्धोपलक्षणम् । संबन्धश्र यज्ञफलप्रतियोगिकेश्वर्यवत्त्वम् । तथा च विलक्षणविवाहसंस्कृतेव यज्ञसाधनं नान्येति सैव पत्नीत्युच्यत इति भावः । 'सवर्णासु विधौ धर्म्ये ' इत्युक्त्या ज्येष्ठां विनाऽन्यासामन-१० धिकारेऽपि तया सहाधिकारात् तद्भावेऽप्यधिकारात्तासामपि तत्संबन्धो बोध्यः ।

एतेन "यद्यपि ज्येष्ठायामनिषिद्धायां सत्यामन्यासां नाधिकारस्तथापि तद्भावे दीर्घरोग-यस्तायां तस्यां पतितायां वाऽन्यासां ऋमेणाधिकारोऽस्तीति यज्ञसाधनत्वयोग्यताऽस्तीति 'यज्ञसंयोगे ' इत्यत्र यज्ञसाधनत्वयोग्यता विवक्षिता । यद्वा यज्ञसंयोगशब्देन विवाह एव । तत्रापि देवतोहेशेन द्व्यस्य दीयमानत्वात्तद्भूपत्वाच यागस्य । एवमपि विवाहितैव पत्नी नान्योते तदा स्त्रियं विना १५ विवाहस्यैवाभावायज्ञसाधनत्वं बोध्यम् '' इति मदनोक्तमपास्तम् । अन्यार्थं योग्यत्वविवक्षायामपि पक्तते भोक्तरीत्या निर्वाहे तद्दिवक्षाया अनुपयोगात्, द्वितीयार्थस्य भाष्याद्यसंमतत्वात्, उक्तरीत्या पूर्वपक्षस्यैवासंगतेश्व ।

एतेन " पत्नी विवाहिता, पत्युर्नी यज्ञेति अत्र वदतोऽग्रेऽप्युपसंहारे उभयत्र तथैव वदतो विज्ञानेश्वर्स्य द्वितीयमतमेनेष्टमिति सूद्राया अपि तस्यास्तत्त्वम्, अत एव कातीयादिकमवरुद्ध- स्त्रीविषयमिति तेन वक्ष्यते, अन्यथा तां विहाय तत्पर्यन्तधावनासंगतिः स्पष्टैव ^१ इति परास्तम् । तथेष्टते पत्नी धर्मविवाहोढेति प्राग्वद्विवाहितत्येव सिद्धे पत्युर्नो यज्ञेत्युल्लेखस्य निर्वीजत्वापत्तेः, अर्थान्तरस्य महाभाष्यविरुद्धत्वाचेति दिक् ।

न्यूनत्वादिंनिरासायाह । **एकवचनिमिति ।** अत एव 'पत्न्यः कार्या ' इत्यत्र बहुवचनं उक्तम् । यथांशमिति । सन्ति तदेत्यादिः । 'चतुस्त्रिद्दचेकभागाः स्यु ' रित्युक्तिक्रमेण बाह्मणी २५ क्षत्रिया वैश्या गृह्णीयुरित्यर्थः । तथा च तस्य तादृशस्य समग्रधनग्रहणं पत्न्या कार्यमिति सिद्धम् ।

#### अत एव ज्यासः---

" मृते भर्तिर साध्वी स्त्री ब्रह्मचर्ये व्यवस्थिता । स्नाता प्रतिदिनं द्वात्स्वभर्वे सर्लिलाञ्चलिम् ॥

" कुर्यादनुदिनं भक्त्या देवतानां च पूजनम् । विष्णोराराधनं चैव कुर्याभित्यमुपोषिता ॥

" द्वानानि विषमुख्येभ्यो द्वात्पुण्यविवृद्ध्ये । उपवासांश्च विविधानकुर्याच्छास्रोदितान् शुभान् ॥ " लोकान्तरस्थभूत्रिमात्मानं च त्यान्ते । नामान्त्रापं नार्वि विज्ञां प्राणिकान्त्राप्त्राः ॥

१० " ल्लोकान्तरस्थभर्तारमात्मानं च वरानने । तारयत्युभयं नारी नित्यं धर्मपरायणा'' ॥ इति ।

अनेन च पुत्रादिवत्सर्वोपकारकतया नरकादिनिस्तारकत्वेन च तद्भावेऽन्यतः पूर्वं पत्न्या एव तत्त्वम्, अन्यथा दानाद्यसम्भव इति बोधितम् । सवर्णाया अभावेऽसवर्णाऽपि पत्नी । तेन श्रूद्राव्य-वच्छेदः । तस्याः परिणीतात्वेऽप्यपत्नीत्वात् ।

१ फ-सित्लाञ्ज्लिम् ।

अत एव विष्णुः—'' सवर्णाऽभावे त्वनन्तरया चापदि, न त्वेव द्विजः शूद्रयेति '' धर्म-कार्यं कुर्यादित्यनुवर्तते । आचाराध्याये मूळे चोक्तमिद्म् । अतस्तस्या जीवनोपयुक्तांश-भागित्वं, न कृत्स्नांशभागित्वमिति बोध्यम् ।

तत्र मानान्तरमप्याह । वृद्धेत्यादिना । शयनं इति । तच्छयनसाधनयोनिरक्षणं सम्य-क्रुवतिर्त्यर्थः । अत एवाह । व्रते इति । ब्रह्मचर्ये इत्यर्थः । एवेनेतरच्यवच्छेदः । तथा चेद्मिप तदंशे कमबोधकमेवेति भावः। तत् , तस्मै भर्जे । अंशं धनम् । अपुत्रेत्युक्तेरिद्मश्रिमं चापुत्रा-दिविषयमिति स्पष्टमेव । बृहद्धिष्णुरपीति । पत्न्यादीनां क्रमेण सामान्येन सर्वधनग्रहणं वक्तीति शेषः । संहि क्रमपर एव स्पष्टः मूलवत् । विष्णुरप्येवम् । मातृगामीतीति । " तद्भावे भ्रातृगामि, तदभावे भ्रातृपुत्रगामि, तद्भावे बन्धुगामि, तद्भावे सङ्खल्यगामि, तद्भावे सहाध्यायिगामि, तद्-भावे ब्राह्मणधनवर्ज राजा स्वामीति '' वाक्यशेषः । कात्यायनेनापीति । तथोक्तं किंचिदंशे १० इति भावः। पत्नीति । सेत्यादिः । भर्तुरिति । अपुत्रस्येत्यादिः । मन्वादिस्यृत्यनुरोधात् । धनहरीत्यत्र विशिष्टस्य पचादिषु पाठादच् । स नद्डित्यादिवद्दिति कीप् । अञ्यभिचारि-णीति । इद्मप्रतिक्र्लाया अप्युपलक्षणम् । दुहितोति । तत्सामान्यमित्यर्थः । यद्यनूहेत्यादेरर्थस्त वक्ष्यमाण एव । उक्तवाक्यमपुत्रपरिमाति सूचयन् तदीयमेव वाक्यान्तरमाह । तथाति । अथशब्दः प्रारम्भादाविति यावत् । कुलजात्वं च नात्र सवर्णात् जातात्वमात्रम्, अपि तु सवर्णादानुलोम्येन च १५ जातात्वे सति सत्कुलपसूतात्वम् । तेनाव्यभिचारिणी साध्वी गृह्यते । अत एव पूर्वस्यैकवाक्यता । अत एव तदभावे इत्यस्य अर्द्धद्वयमध्यपिततस्य पूर्वत्राप्यन्वयः। मूलाबेकवाक्यतया चाग्रेऽपि प्रतिवाक्यं संबन्धः । अपिना दोहिन्नसमुच्चयः । वाशब्द एवार्थः सर्वज्ञान्वेति । पुत्राश्च प्रत्यासत्त्या आतुरेव । चेन कन्यानामपि प्राग्वत् ग्रहणं बोध्यम् । भ्रातृपदं भिगनीनामप्युपलक्षणम् । पितामातेत्यंशेऽनेन पागुक्तविष्णुना च तनान्यत्र च विरोधो यथा मूलस्य न, तथाऽथे स्फुटीभविष्याति । बृहस्पतिरपीति । सर्वत २० आदौ पत्न्या धनग्रहणं वक्तीति शेषः । कुल्येष्विति पित्रादिविशेषणमिति कश्चित् । वस्तुतो भिन्नं पितृप्रातृसपिण्डान्यस्वकुलोत्पनदुहितृदौहितृप्रातृसुतादिपरम् । पितृपदेनैकशेषेण मातुरपि ग्रहणम् । एवं भ्रातुपदेन भगिनीनामपि ग्रहणं बोध्यम् । " सपिण्डाः स्युः सनाभयः " इति कोशः (अमरः २।६।३३) । तेषु तेषु च विद्यमानेष्वपि अपुत्रस्य मृतस्य पत्न्येव तस्य भर्तुः, भज्यते इति भागो धनं सर्वे, तद्धारिणीत्यर्थः । २५

एवं स्वल्पस्मृत्यन्तरानुरोधेन मूलार्थं प्रतिपाद्य दृश्यमानान्यस्मृतिविरोधं परिहर्तुमादो विरोधमाह । एतदिति । उक्तसर्वविरुद्धानीत्यर्थः । चस्त्वर्थे । लक्ष्यन्ते दृश्यन्ते । तान्येवाह । तद्यथेति । तान्येव क्रमेण प्रदर्शयामीत्यर्थः । तज्ञादौ नारद्गाह । आतृणामिति । निर्धारणे षष्ठी ।
अपना इत्यन्न 'नित्यमसिच् ' (व्या. सू.पा४।१२२) इत्यसिच् । प्रजाशब्दः पुज्ञादिमात्रपरः । प्रेयात्
परलोकं गच्छेत् । शेषास्ते आतर एव, प्रत्यासत्तेः । चो भिनक्रमः । चेद्यदि स्त्रियः भर्तुः शय्यां ३०
प्राग्वत् स्वयोनिं रक्षन्ति तद्ग जीवनक्षयपर्यन्तमस्य स्त्रीणां भरणं पोषणं कुवीरंश्चेत्यर्थः । आच्छिन्द्युरिति । इतरासु व्यभिचारीणीषु स्त्रीषु विषये भरणमप्याच्छिन्द्युरपाकुर्युनं द्युरिति यावदित्यर्थः । एतचापोषणमत्यन्तपरिदुष्टासु बोध्यम् । च भरणमात्रमिति । भरणमात्रं चेत्यर्थः । मानवे एवकारस्य पूर्वत्राप्यन्वयः । वाशब्दः समविकल्पे इत्याह। पितृवां आतुर्वेति। मन्वन्तरमेवाह। तथेति ।

१ फ-कुवन्ती । २ फ-ख-इत्यादिवृत् डीप् ।

धनसम्बन्धात् केवलं 'पत्नी दुहितर ' इत्यनेन पत्न्या धनसम्बन्धोक्तिरयुक्ता । अथ तत्रापि नियोगो-त्पन्नः पुत्रः प्रधानमित्युच्यते तथापि द्वितीयपक्षोक्तदोष एव । पुत्रस्येव धनसम्बधादिति सर्वथोक्त-दोषतो न मुक्तिरिति ।

तत्र दितीयपक्षोक्तदोषोद्धारेण तं समर्थयन् राङ्कते । अथ स्त्रीणामिति । अयं भावः । स्त्रीणां सामान्येन भर्तृद्वारा पुत्रद्वारा वा धनसम्बन्धो न साक्षात् । 'न स्त्री स्वातन्त्र्यमर्हतीति ' वचनात् । तथा च भर्तृपुत्ररहितायास्तद्भावपाप्तौ भर्त्रभावे नियोगेनैव पुत्रसिद्धेस्तस्यास्तद्वारा धनसम्बन्धन्वोषकं पत्नीति अस्मदुक्तव्यवस्थायामवश्याश्रयणीयायामेतदारम्भः सार्थक इति नोक्तदोष इति ।

मनुमाह । अध्यक्षीति । अध्यप्ति विवाहेऽग्रिसमीपे लब्धम् । अध्यावहनिकं, द्विरागमने शिविकाद्यावहनकाले यद्यब्धम् । तथा च कात्यायनः—

१० " यत्पुनर्लभते नारी नीयमाना पितुर्गृहात् । अध्यावहनिकं नाम स्त्रीधनं तदुदाहृतम् '' ॥ इति । इदं सर्षमेशे स्फुटीभविष्यति । भ्रातृमातृपित्रित्यत्र मध्यमपद्छोपिसमासहयम् । आदिपद्भाह्ममपि अग्रे एव व्यक्तम् । विरोधादिति । तदुभयहारं विनाऽपि उत्तरार्द्धन अन्यथा तत्सम्ब-ध्यस्य तेन प्रतिपादनादित्यर्थः ।

उक्तदोषोऽपि तद्वस्थ एवेत्याह । किं चेति । सर्वोति । मुख्यगोणेत्यर्थः । तत्र आरब्धे १५ पत्नीति वाक्ये । नियुक्ताया इति । पुत्रद्वारेति भावः । स च पुत्रः क्षेत्रज एवेत्याह । क्षेत्रजस्यै-वेति । स च, आरब्धपत्नीतिप्रतिपाद्यार्थः । प्रागेव । 'औरसी धर्मपत्नीज' इत्यंशव । अपुत्रेति । अपुत्रसम्बन्धिधनप्राहिषकरणे इत्यर्थः । पौनरुक्तयापत्तेरिति भावः ।

द्वितीयहेतुनिरासायोक्तार्थस्योकं वाचनिकत्वं दोषसुकरताये तद्वचनगत्यन्तराय च अनुवद्ति । अथ पिण्डेति । 'न ही ' त्यस्य प्रतीयते इत्यज्ञान्वयः । हि यतः । 'स्रीधन ' मित्यज्ञ स्रीति पदं २० भिन्नं कर्जी च सा । अनपत्यस्य धनं स्त्री गृह्णीयादित्यर्थः ।

एतेन स्त्री चेति पाठं घृत्वा '' दिजातीनां केवलश्रद्धाभार्याविषयमिद्ं, तस्य धनं सिप-ण्डाबाः प्रत्यासिकमेण भजेरम् स्त्री च, सिपण्डादितस्तस्याः प्रथगुक्तेरर्द्धे तेऽर्धे स्त्रीति तद्र्थः । स्त्रीप्रहणादिदं श्रद्धापरमेवान्यासां पत्नीत्वात् । इति भ्रान्तोक्तमपास्तम् । मूलाश्रद्धेः, उपक्रमः विरोधात्, तस्याधिकारिप्रदर्शनमात्रपरत्वाच ।

१५ धर्मान्तरोपदेश इति । प्रतीयते इत्यस्यानुषद्भः । हेती । हेतुमाह । वाशब्देति । निपातानामनेकार्थत्वमपि लिङ्गानुशासनानुरोध्येवेति भावः । अयं भावः । ते धनभाजः स्त्री वा तथेत्युक्त्वा
तस्या गतभर्तृकाया अन्यधर्मद्दयोपदेशं चिकीर्श्वरेकं धर्ममुक्तवान्, 'सा स्त्री बीजं वा लिप्सेतेति '।
नियोगधर्मण पुत्रमपेक्षेतेत्यर्थः । अत्र वाशब्दो न यद्यर्थः । मानाभावात् । किंतु विकल्पार्थः ।
स च पक्षान्तरापेक्षया । तदेव दितीयो धर्मः । स च वचने साक्षाद्श्रुतोऽपि वाशब्द्वलात्स्मृत्यन्तरानु१० रोधाः नियोगेन पुत्रामिलाषरूपोपात्तपक्षप्रतियोगी संयतत्वरूपो धर्म इति ज्ञायते । तथा अ
नियोगात् पुत्रमपेक्षेत वा, संयता वा भवेदिति धनभजनम्, अर्थतोऽन्यधर्मद्दयोपदेश इति ।

एवं तदीयहेतुद्दयं संखण्ड्य दोषान्तरमाह । अपि चेति । तद्योग्यतासूचकं विशेषणं स्मृतीति । तत्र हेतुमाह । अपुत्रोति । यत इति शेषः । तत्पिण्डमित्यतो ऽनुषज्यमानेन तच्छन्देन

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भर्तृपरामर्शात् भर्तुः कृत्स्नमंशं पत्नी लभते न तु स्वांशं कृत्स्नमित्यर्थः । कृत्स्नं स्थावरं जङ्गमं च ।

### अत एव बृहस्पतिः--

"जङ्गमं स्थावरं हेम कुप्यं धान्यं रसाम्बरम् । आदाय दापयेच्छ्नाद्धं मासषाण्मासिकादिकम् ॥ "पितृव्यगुरुदोहित्राम् भर्तुः स्वस्रीयमातुलान् । पूजयेत्कव्यपूर्ताभ्यां वृद्धांश्वाप्यतिथीन् स्त्रियः ॥ "सपिण्डा बान्धवा ये तुतस्याः स्युः परिपन्थिनः। हिस्युर्धनानि ताम् राजा चौरदण्डेन घातयेत्"॥ इति।

क्रचित् स्थावरेऽपवादमाह स एव---

" यद्विभक्ते धनं किंचिद्।ध्यादिविधिसम्भवम् । तज्जाया स्थावरं मुक्त्वा लभते गतभर्तृका ''॥ इति ।

एवं च तत्स्थावरं विभक्तस्यापि भ्रातुरेव न पत्न्याः । इद्मपि वचनं वक्ष्यमाणसिद्धान्तायंश-साधकं बोध्यम् । एतेन ''इद्मविभक्तस्थावरविषयं, वृत्तहीनपत्नीविषयं वा, दुहितृरहितपत्नीविषयं १० वा, द्यायदानुमतिं विना स्थावरदानविकयादिनिषधपरं वा '' इति परास्तम् । आद्यान्त्ययोर्वचन-विरोधात् । मानाभावस्यान्ययोः सत्त्वात् ।

"मृते भर्तिर भर्त्रेशं लभते कुलपालिका । यावज्जीवं न हि स्वाम्यं दानाधमनविक्रये ॥" इति कातीयं तु नियुक्तीन्यविषयकमिति बोध्यम् ।

"धनं य" इति "कनीयान्" इति च पूर्वोक्तमनुद्दयस्य तात्पर्यान्तरं स्फुटमेव, न भव- १५ दुक्तं, मन्वन्तरिविधादिति ध्वनयन्, तस्याः समृतिनिन्दितत्वं प्रतिपाद्यन्, तत्र दोषान्तरं तद्धक्तमेवाह। तथिति । नियोगो निन्दितश्चेत्यर्थः । आदिपद्याद्यव्याख्यानं च पूर्वे स्फुटम् । तयोस्तात्पर्ये त्वित्थम् । तत्र विभक्तधनस्य धातुरभावे विधिक्को "धनं य" इति । तत्र पूर्वतो विशेष उक्तः "सेऽपत्यम् " इति । नियोगधर्मणिति भावः । तस्यैवेति सम्बन्धसामान्ये षष्ठी । तदीयमाता एव-कारव्यवच्छेया । अनेन च पुत्रसत्त्वे श्लीणां भरणाईता, न तु पतिधनसम्बन्ध इति स्वित्यम् । एवं २० कनीयानित्यपि अविभक्तस्य श्रेष्ठस्य नियोगधर्मण पितृवत्सोद्धारेंऽशे प्राप्ते तिन्ववृत्त्यर्थं, समो विभागः स्यान्तोद्धारं न वाऽधिकं हरेज्ज्येष्टः, नापि यित्कंचिदेव देयम्, अपि तु उत्पाद्केन पितृव्येण कनी-यसा समः स्यादिति ।

इत्थं हि गूढाकूतम् । मनुनैव नियोगस्य निन्दितत्वात्तत्पिरिहारः सुकर इति व्याख्यातृबुद्धि-परीक्षार्थं स्वाभिमतार्थं तस्यार्थं कमपाप्तमद्र्शियत्वैव वचनान्तराणि स्वेष्टार्थपरत्वेन द्शितानि । २५ परिहारस्त्वेवम्—

" अन्यस्मिन् हि नियुक्षाना धर्मे हन्युः सनातनम् ।"

इत्यादिना विधवायां नियोगस्य निन्दितत्वाद्वश्यं नियोगेन विभक्तधनभ्रातृजायायां पुत्र-मुत्पाद्य तद्भनं तस्यैव देयमिति न नियम्यते तेन वाक्येन, अपि तु "न स्त्री स्वातन्त्र्यमहेतीति " मनुना स्त्रीणामेकाकितयाऽवस्थानं निषिद्धमिति देवरगृहे स्थितौ कृतायां स्त्रीणामप्रगल्भत्वेन तद्धन- ३० रक्षणे च देवरेण क्रियमाणे सन्ततिलोभात् सा स्त्री शास्त्रसिद्धत्वाद्गहितमपि नियोगं यद्यनुमन्यते

१ ख-मूलोक्तान्यविषयकामिति । फ-क-मोक्तान्यविषयकामिति । २ 'धनं य 'इत्यस्य 'कर्नायानि'त्यस्य चेत्यर्थः । बा. २५ तदा अपत्ये उत्पन्ने देवरेण धनलोभो न कार्यस्तस्यैव तद्धनं द्यात्, नापि तन्मात्रे अत एव बिभू-यादिति धारणपोषणवाचिनो भूत्र उक्तिरिति।

तेन तद्ग्रे तद्दत् साधकत्वेनोक्तवसिष्ठतात्पर्यमाह । यक्तिति । तत् अविभक्ते इति । पश्चद्य-मिद्म् । तस्याः तत्पत्न्याः । नास्ति, उक्तयुक्तेः । इतिहेतौ । स च सम्बन्धेऽन्वेति । स्वस्य तद्भावेऽपि स्वापत्यस्य स भवत्विति लोभान्नियोगो नापेक्षणीय इति भावः ।

अग्रिमयुक्तिं खण्डयति । तैद्पीति । प्रस्तुतत्वात् , तानुपक्रम्य भ्रातॄणामित्यादेरुक्तत्वात् । तथा चोपक्रमानुरोधेन तादृशस्य भ्रातुर्धनमितरे संमृष्टिनो भ्रातर एव गृह्णीयुरिति भावः । अत एवाह । तत्स्त्रीणामिति । मात्रपदेन कृत्स्नधनसम्बन्धव्यवच्छेदः ।

उक्ताशयेनैव शङ्कते । न चेति । पौनरुक्त्यमिति । उभयोरेकार्थबोधकत्वात् । यत १० इति । पूर्व संग्रहेण कथितमग्रे विवृण्वता तेन वाक्यद्वयेन स्त्रीध मिविभाज्यमिति तासां भरणमात्रं कार्यमिति चार्थद्वयं विधीयते, न केवलं पूर्वोक्तमेव कथ्यते । येन पौनरुक्त्यं स्यात् । तत्र आतृ-णामित्यादिना विवरणं, स्त्रीधनं विनेति तस्याविभाज्यत्वविधिः, उत्तरेणेतरविधिरिति भावः । एतेन " सवर्णाभावे त्वनन्तरया चापदि न त्वेव द्विजः सूद्रया " इति विष्णूक्तेः परिणीतात्वेऽप्यपत्नीत्वा-चिद्रषयं नारद्वचनम्, अत एव तत्र पत्नीशब्दस्तत्र स्त्रीशब्द इति " प्राच्योक्तमपास्तम् । १५ उक्तरीत्योपपत्तेः । ' किलेति ' सूचितं योगीश्वरोक्तेर्वक्ष्यमाणं स्वेष्टार्थमाह । यद्पीति ।

चरमदोषं खण्डयति । यत्त्विति । जातस्य तत्समृहस्य । ननु यज्ञशब्दो धर्ममात्रोपलक्षको न यज्ञवाचक इति दानहोमादिसिद्ध्या हेत्वसिद्धिरिति शङ्कते । अश्वेति । देवतोहेशेन द्रव्यत्यागे वैषे आधारे सवषट्कारो यागः। सएवावषट्कारो होमः। स्वत्विनवृत्तिपूर्वकपरस्वत्वापादनं दानमिति यागहोम-दानानां भेदः। एवं तर्हि, धर्ममात्रे एव धनस्योपयोगे सति । धनसाधनकः कृषिवाणिज्यादिलभ्योऽर्थः। २० ताह्नशः स्रक्चन्द्नादिविषयः कामः । इष्टापत्तावाह। तथा सतीति । मूलोक्तिमाह । धर्ममिति । गौतमोक्तिमाह । तथा न पूर्वाह्नेति । धर्मार्थकामेभ्यो यथाशक्ति पूर्वाह्नमध्यन्दिनापराह्नानफलान कुर्यादित्यर्थः । मनूक्तिमाह । न तथैतानीति ।

- '' इद्रियाणां विचरतां विषयेष्वपहारिषु । संयमे यत्नमातिष्ठेत् । '' ( मनु. अ. २ । श्लो. ८८ ) इतीन्द्रियसंयमं प्रकम्य----
- २५ " प्रापणात्सर्वकामानां परित्यागो निशिष्यते । '' ( अ. २।९५ )
  - " न तथैतानि शक्यन्ते सनियन्तुमसेवया । " ( अ. २।९६ )

इत्युक्तं मनुना । अस्यार्थः । तेषां तिह् षयके संयमे सर्वभोगाणां पापणादुपभोगात् तद्धेतुकपित्यागो विशिष्यते । समीचीन उत्तम इति यावत् । यतः एतानि विषयासक्त्या द्रोषजनकानीनिद्र्याणि असेवया स्रगादिविषयानुपभोगेन तथा संनियन्तुं सम्यक् नियन्तुं न शक्यन्ते यथा विष३० योपभोगेन । विषयोपभोगेन यथा तद्गतदोषविज्ञानं तथा विषयानुपभोगेन नेति अनिषिद्धविषयोपभोगस्य वैराग्योत्पाद्कत्वेन कर्तव्यत्वाद्र्थकामाववश्यं साधनीयावित्येतत्यतिपाद्कवचनजातिवरोध
इति भावः ।

१ फ-यदपीति । २ फ-धनसाधनसाधकः।

दोषान्तरमाह । अपि चेति । भार्यमितीति । विहितस्येति शेषः । कत्वर्थता, पूर्वपक्ष्यु-केत्यादिः । उक्तं सिद्धान्तिना । तत्प्रत्युद्धृतं विषटितं विपरीतोक्तमिति यावत् ।

अयं भावः — तृतीयाध्यायचतुर्थपादैकादशाधिकरणम् । "अप्रकरणे तु तद्धर्मेस्ततो विशेषात् ।" (जैमिनीये २। ४। ११) अनारभ्य श्रूयते, तस्मात् सुवर्णे हिरण्यं भार्ये दुर्वर्णोऽस्य भ्रातृत्यो भवतीति । तत्र संशयः — किमिदं हिरण्यधारणं कत्वङ्गत्या विधीयते, उत कतुगतहिरण्यानुवादेन धारणसंस्कारो विधीयते, उत हिरण्यं हस्ते भवतीति विहितं यद्धारणं तद्नुवादेन सुवर्णता शोभनव- र्णतास्त्रो गुणो विधीयते यद्धिरण्यं भार्ये तत्सुवर्णमिति, उत हिरण्यधारणं पुरुषार्थतया विधीयते इति ।

पूर्वपक्षस्तु—हिरण्यविशिष्टं धारणं यद्यपि विधीयते तथापि तस्य फलापेक्षायामस्य धारणस्य वेद्वाक्यविहितत्वेन वेदिकत्वाक्रियारूपत्वाच वेदिकदर्शपूर्णमासादिसाम्यात् फलवद्देदिकं कर्म बुद्धिस्थं १० भवति । ततश्च तत्रैव वेदिके कर्मणि प्रयाजादिवदारादुपकारं कुर्वत् कत्वङ्गं धारणं भविष्यति । एताव-तेव फलाकांक्षानिवृत्तेः स्वर्गादिफलकल्पना न युक्तेत्येकः ।

'हिरण्यं भार्य'मित्यत्र कृत्यप्रत्ययेन धारणविधानात् तत्कर्मणो हिरण्यस्य कृत्यश्रत्या प्राधान्य-प्रतीतेर्धारणं संस्कारो बीहीन् प्रोक्षतीत्यत्र प्रोक्षणिन । ' स्तभाव्युपयोगं हि द्रव्यं संस्कारमर्हतीति ' न्यायेनोपयुक्तस्योपयोक्ष्यमाणस्य वा संस्कारः कार्यः । उपयोगश्च प्रयोजनवत एव, निष्फलस्य ली- १५ किकसुवर्णस्य धारणसंस्कारायोगात् कतुगतिहरण्यानुवादेन धारणसंस्कारविधानमिति प्रयाजादिवना-रादुपकारकमंगम्, अपि तु प्रोक्षणादिवत्संस्कारकमेर्त्यपरः ।

ऋतुगतं हिरण्यं तद्धारणं चानूय लाववात्सुवर्णमिति शोभनवर्णता विधीयते **इत्यन्यः।** 

एवं त्रेधाऽपि तावत् ऋत्वर्थमिति प्राप्ते उच्यते । यदुक्तं वैदिकत्विक्रयात्वसाम्यात्क्रतुरुपितष्ठते फलाकांक्षायामिति । नेप नियमो घटते । यतः स्वर्गाधुत्पत्तेरिप क्रियात्वात् 'दर्शपूर्णमासाम्यां स्वर्ग- २० कामो यजेते'त्यादिषु स्वर्गादेः कर्नृसम्बन्धितयोक्तेवैदिकत्वाच स्वर्गाधुत्पत्तिं ऋतुं चोभयमुपस्थापयति वैदिकत्वं क्रियात्वं चेति हेतुद्दयं, न नियमतः ऋतुमेव, येन विशिष्टविधिपक्षेऽपि ऋत्वर्थता स्यात् । लोकेऽपि हिरण्यसत्त्वाच ऋतुगतहिरण्यप्रतीतिः । न हि धारणं धार्यमाणसंस्कारः । अदृष्टार्थत्वेनापि धारणोपपत्तेः । ऋत्यप्रत्ययश्च कर्मत्वं साध्यतामात्रं वाऽऽह न प्राधान्यम् । अनीप्तितकर्मणोऽपि विद्यमानत्वात् । अत एव धारणानुवादेन न सुवर्णतारूपगणविधिः । ऋतुधारणाप्रतीतेः लोकेऽपि २५ धारणसंभवात् । अतो न सर्वथा ऋत्वर्थं सुवर्णधारणम् । विधिवशाचावश्यं फलेन भवितव्यम् । तच्च फलमर्थवाद्गाभावे विश्वजिन्न्यायेन स्वर्गः, तत्सत्त्वे तु रात्रिसञ्चन्यायेन तद्गतमेव । अत्र तु 'दुर्वर्णो ऽस्य भ्रातृब्यो भवतीति' श्रवणात् भ्रातृव्यस्य दुर्वर्णत्वमात्मनश्च शोभनरूपतैव फलमिति पुरुषार्थमेव हिरण्यधारणमिति सिद्धान्त इति ।

दोषान्तरमाह । **किं च यज्ञेति । पूर्वं** तडागारामादि ।

पूर्वोक्तमनुतात्पर्यशरीरघटकत्वेनोपस्थितमन्वतरिवरोधमपि परिहरित । यत्तु पारतन्त्रयोति । (मनु. अ. ९।३)

" पिता रक्षति कौमारे भर्ता रक्षति यौवने । रक्षन्ति स्थविरे पुत्राः " इति वाक्यादिः ।

आदिना ,कालेऽदाता पिता वाच्य' इत्यादितद्त्रिममनुग्रहणम् । तदस्तिवति । पारतन्त्र्यमे-काकीभूत्वाऽनवस्थितिरिति तया स्वस्य पत्युर्धनग्रहेऽपि न विरोध इति भावः ।

एवं चरमसाधकखण्डने तत्साधकत्वेनोक्तवचनानामन्याशयत्वं शङ्कापूर्वकमाह । कथं तिर्हे हत्यादिना । सर्वे वाक्यमिति न्यायेनाह । यज्ञार्थमेवेति । यज्ञार्थमिति वचने द्रव्यं यज्ञार्थं उत्पन्नमिति न विधिः, किं तु यागिभक्षयाऽवानिपतिगमनेन यज्ञार्थमेव तदुहेशेनैव यत् द्रव्यमुत्पन्नं तत् द्रव्यं तेन यज्ञे एव नियोक्तव्यं, लोभादिना तेन तत्र विनियोगेऽक्टतेऽपि तत्पुत्रादिभिरपि धर्मकार्येष्वेव नियोक्तव्यमिति सर्वथा 'धर्मार्थमर्जितं द्रव्यं धर्मे एव नियोक्तव्यमिति' विधीयते । अत एव धर्मेऽनिधक्टतैस्तत् द्रव्यं न याह्मम् । धर्मकरणेऽधिकाराभावात् । अत एव च ते यासाच्छाद्नमात्रः भाजना इति तद्र्यं इति भावः । अपिनाऽर्जकपरिग्रहः ।

१० अत्र मानं **मनु**मेवाह । यज्ञार्थामिति । 'यज्ञार्थं लब्धमिति' मानवे अर्जकनामग्रहणं विना सामान्यत उत्तया ' अनारभ्याधीयीत नानुतं वदेत्' इतिवत्पुरुषमात्रोहेशेन तस्य प्रवृत्त्याऽर्जकस्य तत्पुत्रीदानां च धर्मार्थद्रव्यस्य धर्मकृत्येष्वविनियोगे दोष इति भावः ।

पूर्वपसङ्गोपस्थितकात्यायनविरोधमपि परिहरित । यदपीति । विरोधप्रकटतायै व्यत्यस्तपद्ोक्त्या असम्बद्धत्विनिरासाय च तद्र्थमाह । अदायिकिमिति । दायिके मत्वर्थीयष्ठन् । ततो १५ बहुन्नीहिः । दायप्राहकर्म्यमित्यर्थः । तदाह । दायादेति । तत्पदोक्तराह । यदिति । अनेन श्रोत्रियेभ्यस्तद्र्पयदिति पाठः सूचितः । वश्यमाणात्तु श्रोत्रियायोपपाद्येदिति पाठो लभ्यते । तत्र उपेत्यादेः पापयेदित्त्यर्थः । तदाऽत्रोभयमध्याहारलभ्यम् । तत्र च जातावेकवचनिमिति बोध्यम् । वृत्तिपदार्थमाह । अरानेति । योषितोऽत्रैव सम्बम्धो नाग्नेऽपीति भावः । द्वितीयार्धशेषार्थमस्यैन वाह । अस्यापवादामिति । तद्गुवृत्तेराह । योषिदिति । तथा च स्त्रीणामशनादिपर्याप्तधन-२० सम्बन्ध एव न सकलधनसम्बन्ध इति तद्भिमतिमिति तद्विरोधोऽसम्बद्धतानिरासश्च स्पष्ट एवेति भावः । एवं तद्र्थे व्याख्याय अथ तं परिहरित । एतद्पीति । प्रकान्तमपीत्यर्थः । तत्र बीजमाह । योषिदिति ।

नारदान्तंरिवराधमिप तथैव परिहरित । नारदेति । इति नारद्वचनमप्यवरुद्धश्चीविषयमेवे त्यर्थः । तदेवाह । अन्यत्रेति । अन्यत्र बाह्मणादिति पूर्वान्विय ।

२५ तथाच पूर्वपयम् (अ. १३ श्लो. ५१)

" अभावे दुहितॄणां वे सकुल्या वान्धवास्तथा । ततः सजात्याः सर्वेषामभावे राजगामि तत् "॥ इति । तथा च सर्वेषामभावे बाह्मणात्तदीयधनाद्न्यत्र तत् धनं राजगामि, किं तु धर्मपरायणो राजा तत्रापि तत्स्रीणां जीवनं द्यादि्त्याद्यर्थः । बृहस्पतिरप्येवम् । जीवनपदार्थश्च—-

# बृहस्पतिनैव तद्ये उक्तः,

३० '' अन्नार्थं तन्दुलपस्थमपराह्ने तु सेन्यनम् । वसनं त्रिपणकीतं देयमेकं त्रिमासतः ॥
'' एतावदेव साध्वीनां चोदितं विधवाधनम् । वसनस्याशनस्यैव तथैव रजकस्य च ॥
'' धनं व्यपोद्य तच्छिष्टं दायादानां पकल्पयेत् । '' इति ।

साध्वीनामित्युक्त्याऽसाध्वीनां तद्पि नेति सूचितम् । एतेनान्यत्र ब्राह्मणादिति बृहस्पतिः । क्षित्रियादिपरिणीतरुद्भाविषय इति भ्रान्तोक्तमपास्तम् । एवं च सामान्यतः परिणीतरुद्भाविषयकमपीदं द्वैयम् । तस्या अप्यपत्नीत्वात् । तथा चावरुद्ध्यहणं पत्नीत्वाभाववद्धपलक्षणम् । तथा च यत्र पत्नीत्वा भावः पुनर्भविदाविष तत्र सर्वत्र इद्मेव । एतद्भिप्रायक एव प्रजापतिरिपि—

" आढकं भर्तृहीनाया द्वादाभरणं स्त्रियाः " । इति ।

**ऊढाया इति ।** श्रौतकर्ममु पाणिग्रहणपूर्विकसहाधिकारवत्या एवेत्यर्थः । नारदाधेकवाक्य-तयाऽह । संयताया इति । देवळवाक्ये यथाक्रममित्यस्य न स्वपाठक्रमेणेत्यर्थोऽपि तु मूलविष्णवा-वुक्तक्रमेणेत्यर्थ इति न तदिरोधोऽपि । सोद्रासोद्रत्वकृताविशेषस्तु प्रागुक्तवृहस्पतिपराहत एव ।

एवं तदीयपक्षं संदूष्य स्वाभिमतमर्थमुपसंहरन्नेवाह। तस्मादिति। पत्नीति। संयतेत्यादिः। कृत्स्नमित्यग्रे शेषः। ननूकस्येवोपसंहारो युक्त इति अस्यार्थस्य 'पत्नी दुहितर ' इत्यञानुकत्वात्कथ- १० मयमुपसंहार इति चेन्न, सकलवाक्यानां सर्वेत्र स्वेतरवाक्याविरोधेनैव प्रवृत्तेन्योय्यन्वात्तदुक्तवक्ष्य-माणानुसन्धानेनास्यार्थस्य लाभादुक्तोपसंहारात्। तदेतत् ध्वनयन् उक्तं स्मारयन् वक्ष्यमाणमाह। विभागस्येत्यादिः। एतेन तस्याश्रुतत्वेऽपि प्रस्तुतत्वेनाप्रस्तुतत्वदोषनिरासः सूचितः। साक्षाद्पवाद्-विषयपरिहारेणैवोत्सर्गपन्नतेन्याय्यत्वात्। अन्यथाऽप्रामाण्याद्यापत्तेः।

एतेन, वक्ष्यमाणदोषेण । अल्पेति । यद्यल्पं धनं तद् तस्य तत् प्रथमं पत्नी गृह्णीयादिति १५ पत्नीतिमूळतात्पर्यमित्यर्थः । निरसनप्रकारमेवाह । तथाहीत्यादि । जीवदिति । पत्यौ जीवति मृते चेत्यर्थः । उक्तं मूळकृता । तदेव कमेणाह । यदीत्यादि । व्यामोहेति । यदा पुत्रे सित तत्र जीविति मृते च तत्समांशभाक्त्वं न भरणमात्रपर्याप्तभाक्त्वं तस्याः, तदा किमु वक्तव्यमपुत्रस्य तस्य धनं सा सर्वे प्राप्नोतीति, केमुतिकन्यायेनैव तस्याः सक्ळधनभाक्त्वसिद्धे प्रासाच्छाद्नातिरिक्तं न प्राप्नोतीत्युक्तिर्प्रांन्तेवेत्यर्थः ।

किं चान्यपुत्रसत्त्वेंऽशग्रहणाधिकारिणा पुत्रान्तराभावे सकलरिक्थग्रहणाधिकारिणा पुत्रेण सह समांशभाक्त्वस्योक्तत्वात्पुत्राद्यभावे विभक्तादेस्तस्य सा सर्वे गृह्णातीति युक्तियुक्तमपि इद्मिति तत् उपेक्ष्यमेवेति बोध्यम् ।

समांशकादिशब्दोऽपि जीवनोपयुक्तधनोपलक्षक इति न विरोध इत्याशयेनाह । अथेति । अंशशब्दुस्य कथंचित्सार्थक्येऽप्याह । समिति । भागतुल्यतयोरंशसमशब्दौ लोकपसिद्धौ । तयो- २५ निष्फलं स्वार्थत्यागोऽनुचित इति आनर्थक्यमिति भावः ।

ननु तयोः शब्द्योः पक्षे स्वार्थपरत्वाच सर्वात्मनाऽऽनर्थक्यामिति क्शिषमाशङ्कते । स्यान्मत-मिति । बहु विपुलम् । कर्मधारयः । खण्डयति तच्च नेति । विधिवेषम्यमेवाह । तथाहीति । पत्यौ जीवति मृते वा पुत्रैः सह विभागकाले इति शेषः । वाक्यान्तरमिति । 'भरणं चास्य कुर्वीरानि'त्यादीत्यर्थः । प्रतिपाद्यतीति । विधत्ते इत्यर्थः । पत्न्यामिति भावः । प्रतिपाद्य- ३० तीति इति । तथा च सकृदुचरितमेकमेव वचनं पक्षे सापेक्षं पक्षे निरपेक्षमित्येकरूपत्वाभावादिधि- वैषम्यमिति भावः ।

१ अदायिकामिति कात्यायनबृहस्पतिभ्यामुक्तम् । अन्यत्रब्राह्मणादिति नारदोक्तं चेत्यर्थः ।

अत्रार्थे दृष्टान्ततया मानं द्र्शयन् अस्य न्यायस्योपपाद्कमधिकरणं संगृह्य द्र्शयति । यथा चातुर्मास्योष्वत्यादिना । सप्तमतृतीयपाद्गष्टमाधिकारणम् । 'सौमिकं तु प्रणयनमवाच्यं हीतरत् ।' सोमे सधमकमप्रिप्रणयनं, द्र्शपूर्णमासयोश्चाधर्मकं तत् । अग्निप्रणयनं नाम गार्हपत्याद्गृहवनी-यादिष्वप्रिनयनम् । उत्तरवेदिश्च सोमे एव न द्र्शपूर्णमासयोः एवं प्रयोगस्थितिः। एवं स्थिते चातुर्मास्यथ्यचतुष्कर्मसु वैश्वदेववरुणप्रधाससाकमधशुनासीरीयाख्येषु श्रूयते '' द्रयोः प्रणयन्ति तस्मात् द्राम्यां यन्ति उक्त वा एते यज्ञस्य यद्गरुणप्रधासश्च साकमधश्च'' इति । तत्राचं द्रयोश्चातुर्मास्यपर्वणोः अग्निप्रणयनविधायकं, तस्मादित्यादिकं तद्र्थवाद्वाक्यम् । तत्र संशयः । किं सौमिकप्रणयन-वद्मणयनविधिरुत प्रणयनमात्रविधिरिति ।

तत्र पूर्वपक्षः । आद्यपक्ष एव युक्तः । द्वितीये प्रकृतिविद्त्यितदेशत एव प्रकृतिभूतद्र्शपूर्णभासतः १० प्रणयनमात्रस्य प्राप्त्या तद्विध्यानर्थक्यापत्तेः । न च चोद्कप्राप्तप्रणयनस्यानुवाद्कमेव तद्स्तु किमर्थे विधानमिति वाच्यम् । प्रणयन्तीतिविधिप्रत्ययवलाद्विधेयत्वप्रतीतेः । किं च " न वैश्वदेवे उत्तरवेद्मुपिकरिन्त न द्युनासीरिये " इति वाक्यद्वयेन तयोः पर्वणोक्त्तरवेद्गितिषेधः प्राप्तिसापेक्षो यतः स्वमते उपपद्यते । आद्यपक्षे हि सौमिकविद्त्यितदेशप्रतीत्या तत्रत्यसकलधर्मप्राप्तो उत्तरवेदेरिप्रप्राप्तत्वात् । द्वितीये तु प्रकृतावेवोत्तरवेदेरभावात्तत्यणयनप्राप्ताविष उत्तरवेदिप्राप्त्यभावेन "न वैश्वदेवे" १५ इत्यादिप्रतिषेधासङ्गतिः स्पष्टैव । तस्मात्स प्रतिषेधोऽपि सौमिकवत्प्रणयनविधाने हेतुरिति पूर्वपक्ष्याशयः । तदाह । द्वयोः प्रणयन्तीत्यादिना दिशेते इत्यन्तेन । उपिकरतीति पाठान्तरम् ।

नन्विद्मयुक्तं, प्रकारन्तरेण निषेधसाफल्ये तथैव स्वीकारे दुराग्रहमाञ्चल्वात् । तथाहि । प्रतिशेषस्य प्राप्तिसापेक्षत्वेऽपि न त्वदुक्तरीत्या प्राप्तिः । तत्यकारं विनाऽपि चातुर्मास्यप्रकरणपितिनैव उपाञ्च वपन्तीत्यनेनोत्तरवेदेविधानात्तल्ळब्धोत्तरवेदेराद्यन्तपर्वणोनिषधकमुक्तवाक्यद्वयमिति तदुपपत्त्या २० सौमिकप्रणयनातिदेशः पूर्वपक्षयुक्तो न घटते इति चेत्, तदेवाह । राद्धान्तैकत्याद्यभिहित इत्यन्तेन । पूर्वपक्षमतिरस्कारकत्वात्सिद्धिन्तित्वात्सिद्धत्वं, स्वोक्तेरप्ययुक्तत्वस्य तेनैव वक्ष्यमाणत्वादेक-देशित्वम् । उपाञ्चेति । अञ्च चातुर्मास्येष्ठ उपवपन्ति वेदिम् उपिकरन्तीत्यर्थः । प्राकरिणकेनेति । चातुर्मास्यपकरणपितिनेत्त्यर्थः ।

नन्विद्मप्ययुक्तं, विधिवैषम्यापत्तेः। तथाहि। उपात्रिति वाक्यं चातुर्मास्यपरमा पूर्वशेषतयोत्तरवेदिं

१५ विद्धत् पर्वचतुष्टयेऽप्यविशेषेण तां विधत्ते । 'न वैश्वे'त्यादिवाक्यद्वयं तुःपर्वद्वये निषेधकम्। तथा च
तिद्धिनिषेधयोर्द्वयोरिप वाक्यपमितत्वेन वाचिनिकत्वाविशेषात् तुल्यत्वेन विकल्पः प्राप्नोति । स
चेत्थम्, उपात्रिति वाक्यं आद्यन्त्यपर्वणोर्यदा न वैश्वेत्यादिवाक्यद्वयमपेक्ष्य तेन प्राप्तस्य निषेधद्वयाथिस्यानुष्ठानाभावस्तदैव पक्षे तद्पेक्ष्योत्तरवेदिं विधत्ते ऽन्यथा न, मध्यमपर्वणोस्तु निषेधवाक्यानपेक्षयैव नित्यवत् तां विधत्ते । तथा च द्वयोर्वाक्यान्तरानपेक्षतयोत्तरवेदिविधिद्वयोर्वाक्यन्तरसापेक्षतया

१० पक्षे विधितिति सक्चच्छ्रतवाक्यमेकत्र पक्षे प्राप्तमेकत्र नित्यवदिति एकस्पप्रवृत्त्यभावादिधिवैषम्यापत्तिः । तस्माद्गत्या पूर्वपक्षयुक्तमेव युक्तिनिति चेत्, तदेव स आह । प्रनःपूर्वेत्यादिना दृर्दिति

मित्यन्तेन । सिद्धान्त्येकदेशिमतानन्तरं मुख्यसिद्धान्त्युक्तिकितितेति तद्भान्तिनिरासाय पुनः पूर्वपक्षिणेत्युक्तम् । इतीति कर्तृ । प्रतिषेधिमाति । 'न वैश्वे'त्यादिवाक्यद्वयपासम्। निरपेक्षिमाति ।
पतिषेधेत्यादिः । नित्यताबोधकपदाभावादाह । नित्यवादिति ।

सिद्धान्तस्त्वत्थम् । विधिशत्ययश्रुतेः प्रणयनं ताविद्धियमेव । तत्त्वादेव दार्शपौर्णमासिकप्रणय-नाद्-यदेतिद्ति गम्यते । न चैवं पणयनमात्रमेन, आतिदेशिकं न, िकं त्नौपदेशिकामिति पवृत्तौ न कोऽपि विशेष इति वाच्यम् । तस्मादित्यावर्थवादस्य प्रणयनवाक्येकवाक्यतया प्रामाण्योपपत्ति-रित्यर्थवादबलेन मध्यमपर्वद्दये उत्तरवेदेरुपसंहारेणानुष्ठाने विशेषसत्त्वात् । तथा च द्दयोः प्रणयन्ति तस्मादित्यादेर्मध्यमपर्वद्वयपटितत्वेन तत्रैव प्रणयनविधिर्यत्र प्रणयनं तत्रैवोत्तरवेदिविधिरिति । उपा-नेत्युत्तरवेदिविधानमप्यर्थवादानुसारेण मध्यमपर्वणोरेव नाद्यन्तयोरिति तयोक्तरवेदिपात्यभावात न बैम्बेत्यादिवाक्यद्वयमायन्तयोः पर्वणोर्नित्यानुवाद्कम् । '' नान्तरिक्षे न दिव्यग्निश्चेतन्य '' इति। वत् । तथा च पर्वचतुष्टये उत्तरवेदि्पाप्तेरेवाभावाद्दिधिवैषम्यमपि नास्त्येवेति पणयनान्तरविधिरे-वेति । एतेनेदं प्रणयनविधानमाद्यन्तयोः पर्वणोक्त मध्यमयोरेवेति संशये न वैश्वेत्यादिना तत्प्रतिषे-धादसत्यां प्राप्तौ प्रतिषेधानुपपत्त्याऽद्यन्तयोः भणयनं पूर्वपक्षे इत्यपि निरस्तम् इति । तदाह । राद्धा- १० न्तेऽपीति । अस्य दर्शितमित्यत्रान्वयः । विधिवैषम्यभयादिति । सिद्धान्त्येकदेशिमते इत्यादिः । इत्याद्यर्थवादेति । इति विधिरादिर्यस्य तस्मादित्यावर्थवादस्य तस्य पर्यालोचनयेत्यर्थः । तस्य मध्यमपर्वद्वयपटितत्वादिति भावः । तथा च यथा तत्र तन्मते विधिवैषम्यं दोषः तथा " पत्न्यः कार्याः '' माताऽप्यंशम् '' इत्यत्र सङ्घच्छृतावंशसमशब्दावि भर्तुर्वेहुधनपक्षे 'भरणञ्चास्येत्यादि ' वाक्यपर्यालोचनया जीवनोपयुक्तधनपरौ स्वल्पधेने तु वाक्यान्तरनैरपेक्ष्येण नित्यवत्युत्रांशसमांशपरा- १५ विति श्रीकरायुक्तव्यवस्थायां विधिवेषम्यदोषो दुर्वार इति तात्पर्यम् ।

पत्नीत्यस्य अन्येरन्यथा कृतां व्यवस्थां खण्डियतुमाह। यद्पीत्यादिना पत्नीदुहितर हत्यारब्धिमित्यन्तेन । तथा तहत् । अत एव चशब्दासङ्गितिन । मनुशंखयोस्तात्पर्याधिमाह । अपुत्रस्य धनिमिति । यद्यपि मानवे पिता आदिस्तथापि तस्य कमाबोधकत्वेन तद्दोधकशंखेन्यान्यथा नयनम्, अत एव तस्यापि कथनिमत्याशयेनाह । भ्रात्रिति । वचनाचेति चस्त्वर्थे । नारद् २० तात्वर्याधिमाह भरणोपयुक्तिमिति । एवं स्थिते, उभयमामाण्यादपुत्रममीतभातृधनभाज हतरे भातरः, स्त्र्यपि जीवनोपयुक्तं धनं लभते इत्येवं व्यवस्थिते । भ्रातर इति । इति इयमपि घटते इति शेषः । मात्रमवधारणे । ततो न्यूनं वेति । तजीवनायापि नालमित्यर्थः । अनयोः संग्रहस्तु बहुधनभिन्नत्वेनेति बोध्यम् । पत्न्येवेति । नारदोकेः । भ्रातरोऽपीति । मनुशंखोक्तेः । अपिना ततस्तस्याः समुचयः । विरोधे माप्ते सिति तद्दिषये एव तिबृत्यर्थमिति शेषः । पूर्वेति । २५ पूर्वत्वं च मौलम् । तत्र विषये एवादौ पत्न्येव गृह्णातीति वक्तुं कमप्रतिपादकं योगीभ्वरेण वचनं पत्नीत्यारब्धिनत्यर्थः । सर्वथा पत्न्येवापुत्रभर्तृधनभौगिनीति भावः ।

खण्डयति । तद्ग्यत्रेति । अत्र भगवान् पूज्यः । आचार्यो, विश्वरूपाचार्यः । भनोरन्यार्थत्वस्य तेन द्शिंतत्वादित्यर्थः । तद्वाह । यत इत्यादिना व्याचचक्षे इत्यन्तेन । यत इत्यस्य व्याचचक्षे इत्यन्तेन । यत इत्यस्य व्याचचक्षे इत्यन्तेन । यत इत्यस्य व्याचचक्षे इत्यन्नान्वयः । यतस्तथाऽत इत्यर्थः । स एवेति भावः । इति इत्यन्न । ३० विकल्पे एवेति विषयसप्तमी संबन्धिनस्तत्त्वविवक्षया । विकल्पस्यैवेति पाठान्तरम् । विकल्पस्मरणादित्यपि तथा । मात्रपदेन कमव्यवच्छेदः । तज्ज अधिकारपदर्शनं च । आदिना दुतितुदौहित्रस्य मातुश्च परिमहः । अत एवाह । गणे इति । अयं भावः । दायग्रहणे पित्रादिकमप्रतिपादकं तन्न, येनोक्तव्यवस्था स्यात्,

१ द-ख भागिनीनेति भावः।

अपि तु पित्राद्योऽपि धनग्रहणेऽधिकारिण इत्यधिकारमद्र्शनपरम् । वाशब्देन विकल्पमतीतेः । समयोहिं विकल्पः । पितुरभावेऽन्येऽधिकारिण इति क्रमविवक्षायां तु पितुः प्राधान्यभतीत्या तस्यान्येषां च साम्याभावाद्दिकल्पासङ्गतिरेव । तस्याधिकारमद्र्शनमात्रपरत्वे तु पत्नीं दुहितरं दौहित्रं मातरं च गण-यित्वा पिता हरेदिति पित्रादिगणने ऋते तस्याधिकारो घटत एवेति । तस्मात्तस्य तथोक्तिरयुक्तैवेति पत्रत्यार्थं मूलशंखवाक्यमपि तेनान्यथा व्याख्यातमित्याह । शंखेति । संसृष्टेति । विभागानन्तरं पुनरपि स्नेहादिना एकीभूयस्थितभातृविषयामित्यर्थः । 'इती'त्यस्य 'व्याच चक्षे' इत्यस्यानुषङ्गेणान्वयः । एवमप्यन्यथा प्रसक्तविरोधपरिहारस्त्वभे स्फुटीभविष्यति ।

स्वयं दोषान्तरमाह । अपि चेति । यत इति शेषः । एवमग्रेऽपि । अस्मात् पत्नीदुहितर इत्यस्मात् । न केवलं तदननुमतत्वादि किन्तु दोषोऽपि प्राग्नकस्तथा व्याख्याने इत्याह ।
१० धनेति । अत एव चः किं चेत्यर्थे । व्युक्रमेण सर्वान्त्ये स बोध्यः । पत्न्यंशे तथाऽर्थे वाचिनिकेऽपि
तत्र स्नीत्वस्यैव त्वन्मते हेतुत्वस्याभिमतत्वेन तस्याविशेषण युक्तितौल्येनाह । दुहितर इति । विषयद्वये इति । इद्मुपलक्षणं, मातृविषये इत्यपि बोध्यम् । वाक्यान्तरम्, भरणं चास्येत्यादि ।
तत्र मात्रं कात्स्न्ये । उक्तेतोः पत्नीत्यस्य तादृशधनविषयत्वे तुल्यन्यायेन दुहित्रादाविष तथाप्राप्त्या
धनभागिति वाक्यशेषोऽपि भरणं चास्येत्यादिपर्यालोचनया यदि चाल्पं धनं तदेव पत्नी गृह्णात्यादौ
१५ तद्भावे दुहिता न बहुधने इति पाक्षिकं धनग्रहणं पत्न्यादेः प्रापयति, पित्रादिषु तु वाक्यान्तरनैरपेक्ष्येणैव नित्यवत् तत् बौधयतीति स दोषस्तद्वस्थ एवेति भावः ।

पूर्व संयताया एव तस्या धनग्रहणमुक्तं द्रवियतुमन्यविरोधं परिहरति । यिन्विति । यौवन-स्था चेदिति यथास्थितमेव । कर्कशा कूरा । अनेन कृत्सनधनासम्बन्धः स्पष्ट एवोक्त इति विरोधः स्फुट एव । परिहरति । तद्गीति । विधवा यौवनस्था नारी कर्कशा चेद्रवतीत्वन्वयः । कर्कशात्व २० च नान्यादृशं किं तु दुक्तहदुरिभिप्रायकत्वं, प्रागुक्तसृत्यन्तरानुरोधात् । तदाह । शिङ्कितिति । एवं च संयतायाः सकल्यनग्रहमेतत्संगतवेति न विरोध इति भावः। एवं च इतोऽपि प्रागुक्तार्थलाभ एवेत्याह । अस्मादेवेति । एवोऽप्यर्थे । हरीतवचनाद्गीत्यर्थः । अपिना प्रागुक्तसमुच्चयः ।

अत्र प्राग्तकमेव मानान्तरमप्याह । **एतदेवोति ।** अनाशङ्कितव्यभिचारायाः सकल्धनग्रहण-मित्येवेत्यर्थः । वयः कृतज्येष्ठत्वे उक्तार्थालाभादाह । **ज्येष्ठा गुणेति ।** अन्यग्णकृतज्येष्ठत्वमपि ना-२५ भिमतमिति तद्र्थमाह । अनाशङ्कितेति । अन्याभिति । कर्कशामपीत्यर्थः । अपिना स्वीयसमु-चयः । मातृवत्, माता यथा पालयति स्वीयं तहत् ।

उपसंहरति । तस्मादिति । संसृष्टीत्यत्र भावे कः । पत्नीपदार्थमाह । परिणीतेति । धर्म-परिणयनपूर्वकश्रोतस्मार्तकर्मसहाधिक्वतेत्यर्थः । एवं पूर्वीपसंहारे ऊढाया इत्यस्याप्यर्थी बोध्यः । एवेन भरणोपयुक्तमात्रव्यवच्छेदः । यतु प्राच्याः—एवेन्यवस्थायां बृहस्पतिविरोधः ।

- ३० " विभक्ता धातरो ये च सम्प्रीत्यैकत्र संस्थिताः। पुनर्विभागकरणे तेषां ज्येष्ठचं न विद्यते ॥
  - " यद्। कश्चित्यमीयेत प्रवजेद्दा कथंचन । न लुप्यते तस्य भागः सोद्रस्य विधीयते ॥
  - " या तस्य भगिनी मातुस्ततोंऽशं लब्धुमहीति । अनपत्यस्य धर्मोऽयमभार्यापितृकस्य च ॥
  - " संसुष्टानां तु यः कश्चिद्धियाशौर्यादिनाऽधिकम्। आमोति तस्य दात्त्यो द्वयंशः शेषाः समाशिनः॥ 12

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इति हि सः । तत्र चोपकमोपसंहारयोः संसृष्टविषयत्वान्मध्यस्थस्य यदा कश्चिदित्यादेरिप तिहिषयत्वेन तत्र चानपत्यस्थेत्यनेनार्धेन पुत्रकन्यापत्नीिपतृणामभावे संसृष्टसोद्रप्रातुरिधकारबोधनेन कथं तस्य पत्नीबाधकत्वम् । किं चाविभक्तत्वे संसृष्टत्वे च भ्रात्रन्तरीयद्वव्यस्य मिश्रीकृतादेः पृथग-प्रतीतौ लोपशङ्कायां न लुप्यते इत्युपपयते । विभक्तासंसृष्टस्य तु धने विभागप्रतीत्या न लोपशङ्का । तस्मात्संसृष्टविषयत्वमेवैषाम् ।

किं च पत्न्यादेः पूर्व अधिकारज्ञापक**शंखादीनां** संसृष्टविषयत्वं वचनान्न्यायाद्वा । नाद्यः । तद्भावात् । संसृष्टिनस्त्वित्यादेस्तु भ्रात्रधिकारावसरे विशेषज्ञापनत्वेनै भ्रात्रधिकारमात्रपरत्वानुपपत्तेः । किं च समीपोक्त**वृहस्पाति**वचसः संसृष्टिविषये पुत्राादिपित्रन्ताभावे सोद्रभात्रधिकारज्ञापकत्वात्त- दिरुद्धत्वाद्संसृष्टविषयत्वमेव तावत् युक्तं तेषां, न तु तथा ।

संसृष्टत्वे यदेकस्य भ्रातुर्धनं तदन्यस्यापि तत्रैकनाशे तत्स्वत्वनाशेऽपि जीवतस्तत्सत्त्वात्तस्यैव १० तत्, न तु पत्न्याः । भर्रृमरणेन पत्नीस्वत्वस्यापि नाशात् । यथा सत्सु पुत्रादिषु न तद्धनं पत्न्या इत्येवं द्वितीयपक्षोऽपि न । न हि संसृष्टत्वेऽपि यदेकस्य तदेवान्यस्यापि । किंतु अविशातैकदेश-विशेषं तत् इयोः, न तु समग्रमेव । तत्स्वामित्वकल्पनायां मानाभावात् । परिणयोत्पन्नभर्तृधने पत्न्याः स्वामित्वं तस्मिन् मृते नश्यतीत्यत्र च मानाभावात् । सित पुत्रे तद्धिकारशास्त्रादेव स्वत्वनाशोऽवगम्यते । नन्वत्रापि संसृष्टिभ्रात्रधिकारशास्त्रात्त्र्याते चेन्न । संसृष्टभ्रातृगोचरत्वस्याद्याप्य- १५ सिद्धेः । सिद्धे हि भ्रातृसंसृष्टभर्तृमृत्या पत्नीस्वामित्वनाशे भ्रात्रधिकारशास्त्रस्य संसृष्टविषयत्वं, साति तु तस्य तद्दिषयत्वे पत्नीस्वामित्वनाश इत्यन्योन्याश्रयश्च ।

किं च शंखादेस्तत्त्वे आवशे तथा सत्त्वेऽपि तद्भावे पितरावित्यत्र प्राग्वद्विकल्पसम्भवेन पत्नीदुहितरश्चेवेत्यादिना विभक्तासंसृष्टयोः पित्रोः पत्नीबाध्यत्वादाद्यपक्षस्य, अविभक्तसंसृष्टभ्रातृ-सद्भवेऽप्यविभक्तसंसृष्टपितृग्राह्यत्वस्य सर्वेषां मते विवादाभावेन द्वितीयपक्षस्य चासम्भवः।

किंच यथा पित्रा भ्रात्रा च विभक्तासंगृष्टधने शरीरदातृतया "आत्मा वै जायते पुत्रः" इत्येकत्व-स्मृतेर्धनशरीरयोश्च प्रभुत्वाङ्गत्पितृद्वेयपितामहादिपिण्डत्रये च सपिण्डनेन मृतस्य भोक्तृत्वाज्जीवति च पितरि पुत्राणां पार्वणदानाभावात् भातृतः पूर्वे पितुरिधकारस्तथाऽन्यत्रापीति युक्तम् । अविभाग-संसर्गयोगीऽविशेषात् पिताभ्रात्रोस्तुल्यवद्धिकारो युक्तो न तु तद्भावे पितुरिति युक्तम् ।

किं चाविभक्त संसूष्टी पितराविति दित्त्वानुपपत्तिर्माञा सह विभागाविभागयोरभावात् । अतं २५ एव संसर्गाभावोऽपि ।

यदाह बृहस्पतिः, - 'विभक्तो यः पुनिति'। अतः संसर्गित्वाविभक्तत्वयोद्देयोर्मात्रा सहासम्भवात्कर्थं मातृगतो भ्रातृसद्भावाधिकारिवरोधः समाधेयः। तस्मात् विष्णवादितः पुत्राद्यभावमात्रेण पत्न्यधिकारः स्पष्टोऽवगम्यते। तत्र पुत्राद्दीनां त्रयाणामादौ तत्त्वं, ' पुत्राम्नो नरकादि'त्यादिमनुविष्णवाद्यकेः। प्रेपौत्रपर्यन्ताभावे वैधव्यात्प्रभृति वतादिना भर्तुः परलोकहिताचरणेन पुत्रादितो जधन्या भार्येति ३० तथामभावे सैव धनाधिकारिणीति तत्त्विमाते।

१ समानसम्बन्धिनां मध्ये संसार्गणः संसर्गनिबन्धनाधिकारबोधकत्वेनेत्यर्थः । अन्यथा पुत्रसन्तेऽपि संस्षष्टभात्रधि-कारप्रसङ्गादिति भावः । २ फ-पात्रपर्यन्ताभावे ।

तेन । उक्त बृहस्पतिवाक्यस्य 'संसृष्टिनस्त्वित' मूलस्य 'विभक्ताः सहजीवन्त' इत्यादिमनोरुक्त-नारदस्य च समानार्थकत्वेन प्रकृताविषयत्वात् । अपत्यसत्त्वे नैविमित्युक्तम् । तत्र अनपत्येत्यपवाद्-प्रसङ्गाद्संसृष्टिविभक्तस्थलेऽप्यपवाद् उक्तः, अभार्यापितृकेति । लोपशङ्काऽपि मनुवद्दोष्या । पत्नीति मूलस्य पूर्वोत्तरवचनैस्तत्त्वे सित परिशेषन्यायेन शङ्कादेस्तदिषयत्वं सिद्धामित न दोषश्च ।

कि च आतंशे एवेदं न पित्राद्यंशे। तत्र त्वनुपद्मेव प्रकारो वक्ष्यमाण इति न कोऽपि दोष इति दिक्।

नन्वेतावता प्रपञ्चेन पत्नीत्यस्य भ्रात्रंशे विरोधे परिहते नारद्सङ्गताविष पित्रायंशे विरोध-स्यापरिहतत्वेन तद्वस्थत्वेन मनुशंखकात्यायनादेः का गतिरिति चेत्, न । नेदं क्रमपरिमत्या-याचार्योत्त्यनुवाद्केन भगवता विज्ञानेश्वरेण सर्वविरोधपरिहारस्य सूचितत्वात् ।

१० तथा हि । तत्र तावत् 'पिता हरेदिति' मनु विरोधम्तु कण्ठतः परिहृत एव । तथा च तत्र वाशन्दों व्यवस्थितविकल्पे न त्वैच्छिकविकल्पे । व्यवस्था च मूलोंकैवेति बोध्यम् । एवमनपत्यस्य पुत्रस्य मातेति मनुरिप न विरुद्धः । तस्यापि क्रमाबोधकत्वात् । मानाभावात् अधिकारप्रदर्शनमात्र-परत्वात् । तथा च मूलानुरोधेन तत्र चकारेण च वृत्तायामित्यस्य पूर्वत्रापि संबन्धेन पत्न्यां दुहितिरि च वृत्तायां दौहित्रे च वृत्ते माता तस्य दायमाप्नुयादित्यर्थः । अथेऽपि अपिशब्दात्पित्रादिसमुच्चयेन १५ पितिरि आतृष्ठ सत्सु तेषु च वृत्तेषु पितामही हरेदित्यर्थः । इद्मभेऽपि व्यक्तम् । तत्रैव 'मातर्यपी'-त्यत्र कण्ठतो विज्ञानेश्वरेण तथोकत्वान्मात्रंशेऽपि तथैव तस्याभिमतम् । एवं शंखवचनमपि न विरुद्धम् । तस्याविभक्तसंसूष्टश्चातृविषयत्वस्य भात्रंशे कण्डतस्तेनोकत्वात् ।

किं च तत्र वाशब्दस्य समुचयार्थत्वेन तद्भावे इत्यस्योभयत्रान्वयेन कमवैपरित्येन च तद्भावे अविभक्तसंसृष्टभ्रात्रभावे ज्येष्ठा संयता पत्नी हरेत् तद्भावे पत्न्यभावे चेन दुहितृदौहित्रयोरभावे रे॰ पितरौ हरेयातामित्यर्थात् यथाश्रुतकमाबोधकत्वात् कात्यायनवचनमपि न विरुद्धम् । तत्र पुत्रभावे इत्यत्र पुत्रपत्य पौत्रोपलक्षकत्वावश्यकत्वात् '' अपुत्रा पुत्रवत्वत्ती '' " यथेवात्मा तथा पुत्रः " " पुत्रेण दुहिता समा " "पौत्रदौहित्रयोलोंके विशेषो नोपपद्यते ।" इत्याद्युत्त्या पुत्रभावे इत्यस्य पुत्रस्य पौत्रस्य पत्न्या दुहितुदौहित्रस्य चाभावे इत्यर्थनाथे कमवैपरित्येन वाशब्दानां तद्भाव-रूपपक्षान्तरबोधकत्वेनादौ जननी हरेत्, वा तद्भावे पिता हरेत्, वा तद्भावे प्राता हरेत्, पुनर-वयेनाथशब्दस्य समुच्यार्थत्वेन वा तद्भावेऽथ तत्सुता हरेयुः, वा तद्भावे तिपत्रमाता पिता-मही हरेदित्यर्थात् । एतादृशकमबोधनार्थमेव कमादिति सफलम् । अन्यथोक्तकमस्य पाठत एव लाभे तदुक्तिरफलेति स्पष्टमेव । गौतमवचनमिप न विरुद्धम् । तत्र वाशब्दस्य चार्थत्वेनाधिकारमात्रपद्ध-र्शनपरत्वेनोक्तरित्येव कमस्य विवक्षितत्वात् । तत्र पिण्डशब्दः सापिण्डयपरः । गोत्रशब्दसमिभिव्या-हारत् । न केवलं मूलस्यैव नारदादिविरोधः, किं तु तेषामपि मिथो भूयानिति तत्रैकस्य सिद्धा-न्तत्वे सर्वनिर्वाहाभावात् व्यापकत्वान्मूलाद्यनुरोधेनोक्तव्यवस्थयैव सर्वेकवाक्यतासंपाद्नमुचितामिति गूदाकृतम् ।

अत्रेदं तत्त्वम् । यद्यपि पूर्वविरोधदानावसरे नारदमनुशंखकात्यायनविरोधः क्रमेण व्याख्यात्रा सम्भवात्सामान्यतो बहुविषये दत्तस्तथापि उपक्रमोक्तनारद्वाक्याद्विशिष्यभ्रातृपत्न्योः क्रमबोधकशंखाद्य मुख्यतया भ्रात्रंशे एवाभिमतः । मनुकात्यायनोक्षेखस्तु मूलवत्तेषामपि मिथो ३५ विरोधो यथाश्रुत इति न तयोरपि कमव्यवस्थापकत्वमिति सूचयितुमानुषङ्किकः । तत्र मनुद्वयांशे विरोधपरिहारोऽग्रे व्याख्यात्रा उन्यप्रसङ्गेन कण्ठनः कृत एवेति नात्र पुनर्विशिष्योक्तिः । तेनैव पित्रादौ शांख कात्याय निरोधोऽपि परिहतपाय इति नै तथा । भ्रात्रंशे तदुभयविरोधोऽपि अन्यप्रसङ्गेन तयोः संमृष्टविषयत्वमुक्तवता परिहत एव । तत्र संमृष्टेत्युपलक्षणविभक्तस्यापि । इद्मप्यन्यत्र विभक्ते संमृष्टिनि वेति उक्तवता तेन सूचितमेव । एवं च मुख्यतातात्पर्यविषयतया भ्रात्रंशे एव फलितार्थकथनपरं न तु शाब्दार्थकथनपरम् । तल्लाभो यद्यपि प्रागुक्तरीत्या सिद्धः तथापि अत्रापि गमकमस्तीत्याशयेनाद्योपसंहारार्थेहेतुद्दयमुक्तं विभागेत्यादि । स च मुख्यतया भ्रातृणामेव प्रतिपादितः । शब्दस्तथैव लाभात् । अत एवाग्रे '' एवं विभागं चेदित्यादिना प्रवन्येन समानजातीयानां भ्रातृणां परस्परं पित्रा च सह विभागक्रुप्तिरुक्ता '' ईत्युक्तं तेन ।

किंच भ्रातॄणां तयोक्तर्ध्वमनन्तरं विभाग उक्त इति तस्यैव विभागस्यात्र ग्रहणम् । अत एवैकवचनम् । एवं च भ्रावंशे ताहृशपकरणात्तथोति तद्धावः । ननु शाब्द्मुख्यविभक्तत्वस्य तत्रोक्तत्वेऽपि अर्थानु- १० षद्धिकविभक्तत्वस्य पितिरि मातिरि च सत्त्वेन ताहृशविषये तयोरिधिकारापात्तिः । पत्नीत्यस्य सर्वविषयत्वेनाप्रवृत्त्या वचनान्तरादित्यत उक्तं संसृष्टिनामिति । संसृष्टिनिस्त्वत्यस्य पत्नीत्यादिसर्वाप्रवाद्त्वं न पत्नीमात्रांशपरम् । अत एव '' पत्न्याद्यो धनभाज इत्युक्तम् । अस्यापवाद्माह '' इति वैक्ष्यते तेन । एवं च ताहृशपितृत्रयान्यतमस्थलेऽस्य वचनस्य संपूर्णस्याप्रवृत्तावप्यन्यत्र विभागेऽविभागे च सर्वत्र प्रवृत्तिः । अत एव वैक्तप्यमपि नेदानीम् । अत एव संसृष्टिविषयत्वमेव नारद्शांखयोः कण्ठत १५ उक्तं न त्वविभक्तविषयत्वमपि । इर्थमक्चिक्षसंहारद्वमयध्ये विभक्ते संसृष्टिनि वेत्यत्रापि बोध्या । अत एवाचे उपसंहारे ऽयमर्थः सिद्धो भवतीत्युक्तम्, न तु पत्नीत्याद्रेतिद्विषयतया व्यवस्थितिरित्युक्तम् । दितीयोपसंहारस्तु साकल्यांशे इति न पानक्तत्यम् ।

किं च विभक्त आनुस्तिविषयत्वं पत्नीत्यस्य धारेश्वर संमतत्वेन प्रागुक्तं न स्वसंमतत्वेन । यद्यपि तत्र नियोगो वृषितः कण्ठतो 'नान्यिसमिन्नित्यादिना 'तथापि तदितरांशस्य सम्भ- २० वदुक्तिकत्वेऽपि उक्तवक्ष्यमाणयुक्तिभ्यां स्व.निभमतत्वमेव । एतेन "पत्नीत्यादिसूलस्य 'अपुत्रा शयनामिति ' मनोश्च व्याख्यायां विभक्तासंमृष्टधनिषयत्या व्यवस्थापितत्वेन तद्भित्रस्थले तयोरप्रवृत्त्योक्तनार्दमन्वादिना तत्र निर्वाह इति मिताक्षरासम्मतिसद्धान्त " इति आन्तिकमपास्तम् । तद्भिमतार्थाज्ञानात् । विभागोक्त्या मूलस्य तद्विषयत्वलाभेऽपि उक्तमनो-स्तिद्विषयत्वासम्भवात् । तथा तेनानुकत्वात् । मूलैकवाक्यतया तस्य तत्त्वेऽपि विरुद्धवाक्यजातान्त- २५ गेते विभक्ते संस्थिते इत्यत्र विभक्ते विरोधस्य स्पष्टत्वेनाव्यवस्था तद्वस्थैव ।

किं च । तावताऽपि तैः सर्वज्ञानिर्वाहः । तत्र स्वल्पोपादानात् । पत्नीत्यादेस्तु त्वदुक्तरी-त्योत्तरोत्तरस्य पूर्वपूर्वसापेक्षत्वेन तद्विषयत्वस्यैव युक्तत्वेन च सम्पूर्णस्यैव तद्विषयत्वापत्त्या तत्राप्र-वृत्तेः । मुल्लसमानार्थविष्ठणुना निर्वाहे तु अस्मत्यक्षस्यैव सिद्धचा द्वविडप्राणायामस्यासांगत्यापत्तेः । ३०

किं च । अन्यत्र तेन निर्वाह इति न विज्ञानेश्वरसम्मतम् । यद्पि नारद्वचनामि-त्यादि तदुक्तिविरोधापत्तेः । तद्प्यत्रभवानाचार्यो न मृष्यतित्यादि विरोधापत्तेः । तत्र पितामहौ

१ न पुनिर्दितिष्योत्तः । २ चतुन्तिद्वयेकभागाः स्युः १२५ इति क्रांकावनरणे इति शेषः । ३ संसृष्टिनस्तु संसृष्टी १३८ पू. ९८ इति क्रोकावतरण । ४ फ इत्यम् ।

प्रथमं धनभाक् मातर्यिप च वृत्तायाम् इत्यादितदुक्तिविरोधापत्तेश्च । वचनस्यैकत्वेनोत्तरार्द्धस्यापि तन्मात्रविषयतया सांकर्यस्यैवाभावात् । एतेन अविभक्तेकपुत्रस्य स्वार्जितधनकस्य मृतिपितृकस्य मातृपत्नीभगिनीसमवाये उक्तरीत्या पत्नीत्यादेरपवृत्त्या 'अनपत्यस्य पुत्रस्य मातेति ' मनोर्मातैव धनभाक्, न पत्नी इत्यपास्तम् । तद्विरोधात् । त्वन्मते मात्रभावे तत्सन्वे तत्पवृत्तेः ।

किं च । तथा सित तत्रैव पत्न्यां जीवन्त्यामिप त्वदुक्तरीत्या धनभाक्त्वेन मातृधनस्य दुहितृगामित्वेन तत्कन्यासन्त्वे तद्गामित्वेन पत्न्या निरंशत्वापत्त्या जीवनाभावापत्तेः ।

किंच । पितुः स्वत्वमित्यव्यवस्था दुर्वारैव । निर्वाहकवचनान्तराभावात् । विष्णोर्मूल-समानार्थत्वात् । ''अनन्तरः सपिण्डाद्यः '' इति मनूक्तप्रत्यासत्तेस्तत्त्वाङ्गीकारेऽपि तस्यास्तत्र तुल्यत्वेन तत्ताद्वस्थ्यमेव । अस्मन्मतप्रवेशापत्तिश्च । तद्वक्तपत्यासत्त्यङ्गीकारेऽपि तद्दत्पितुरिष १० असमर्थस्य उक्तरीत्या निरंशत्वापत्तिः । ''अर्द्धो वा एष आत्मनो यः पत्नी '' इत्यादिश्चुत्यादि-बोधितप्रत्यासत्त्यतिशयस्य पत्न्यामेव सत्त्वं च ।

किं च । पुत्रपौत्ररहितस्य दुहित्रादिगणाभावे पत्नीसत्त्वे विभागस्याभावे त्वदुक्तरीत्या पत्नी-त्यादेरप्रवृत्त्या '' श्रोत्रिया ब्राह्मणस्यानपत्यस्य रिक्थं भजेरन्'' इति गौतमात् ( अ. २८ सू ३९) तस्य तत्त्वापत्त्योक्तदोषापत्तेः ।

- १५ किंच । तादृशस्य तस्य पत्नीसत्त्वे सिपण्डान्तर्गतदूरतस्यित्विश्चित्सत्त्वे विभागाभावे मूलापवृत्त्या
  " पुत्राभावे प्रत्यासनः सिपण्ड" इत्यापस्तम्बात् (२।१४।२) तस्य तत्त्वापत्त्योक्तदोषापत्तित्व ।
  वचनान्तरं तु न साधकमस्ति । उक्तश्चुत्या पत्न्याः प्रत्यासन्नत्वादिना तत्त्वे तु तत्रापि तन्नेदं वारितिमित्यलं तदनभिज्ञोक्तिखण्डनेनेति । क्विद्विशिष्टविरोधपरिहारस्त्वग्रेऽनुपद्मेव स्फुटीभविष्यतीति दिक् ।
- २० एवं पत्नीति व्याख्यायाश्रिमं व्याचिष्टे ।तद्भावे द्वहितर इत्यादिनाऽभिधानादित्यन्तेन । ननु पत्नीतिवज्ञातावेकवचनेनैव सजातीयानेकग्रहणलाभे बहुवचनं निर्चीजमत आह । बहु-द्विता वचनमिति । पक्कितेबोध्यस्त्र्यपत्यत्वस्य प्रत्ययबोध्यबहुत्वस्य च विजातीयास्विप अवि-हिश्कित्वमिकद्भत्वं चेति ताभ्यामुभयप्रतीत्या तासां चतुर्स्चात्युक्तक्रमेण समविषमांशभाग-प्राप्तिरितिभावः । यद्यपीद्मपि तद्ददेव सिद्धं तथापि तस्य स्फुटबोधकमिद्मिति गूढाकूतम् । एतेनादौ २५ सवर्णा तद्भवेऽसवर्णेति व्याख्यानमपास्तम् ।

दुहितॄणां धनसम्बन्धं पोषयति । तथा चेत्यादिना । तत्राद्यं व्याख्यातम् । तां विना तद्भावे । स्मृता धनहरीत्यस्यादावनुषङ्गः । अङ्गादङ्गात्, सर्वेभ्यः अङ्गेभ्य उत्पद्यते । "यथैवात्मा तथा पुत्रः पुत्रेण दुहिता समा । तस्यामात्मिनि तिष्ठन्त्यां कथमन्यो धनं हरेत्"॥इति,

'यद्पत्यं भवेद्स्यां तन्मम स्यादि श्युक्तमपत्यं धनभाक् । अतः पितिर मृतेऽनुत्पन्नपुत्राया ३० धनहरत्वापाप्तावयं विधिकल्पकोऽर्थवादः । तत्र तस्यामात्मिनि पुत्रानिमित्तं तिष्ठन्त्यामेव धनलाभो, न पुत्रोत्पत्तिस्तदीयाऽपेक्षिता । यद्वा । तस्यामात्मभूतायां पितृरूपेण तिष्ठन्त्यामित्यर्थः । एतद्र्थको मनुस्तु न लिखितः । तत्र सामान्यवचनदुहितृशब्दस्यापि प्रकरणात्पुत्रिकापरत्वेन मेधार्तिथिना व्याख्यातत्वात् । एतद्र्थमेवार्थकथनम् ।

एतेन "पुत्रवत्या एव तस्यास्तद्धतायिकारों न दुहितृसामान्यस्य । 'तुल्यसन्तानद्र्शनादिति '
नारदीये हेतुनिर्देशेन प्रत्यासत्तिसाम्येऽपि उपकारातिशयेन तदाधिकारबोधनात् । यथा पुत्रत्वसाम्येऽप्यक्कीबादेः । तथा च पुत्रदुहित्रोस्तद्दन्वमेव तद्धिकारापाद्कं, न स्वरूपमात्रम् । अन्यथा
क्कीबादिपर्युदासस्यादृष्टार्थतापत्तेः '' इति भ्रान्तोक्तमपास्तम् । मन्वादिविरोधात्, नारदार्थस्य
वश्यमाणत्वात्, क्कीबादेर्यथाकथित्रतपुत्रसत्त्वे कर्मानधिकारप्रयुक्तस्य वाचनिकस्य वाऽनधिकारस्य ५
सत्त्वात्, अन्यथाऽपुत्रपुत्रादेस्तत्त्वानापत्तेः, योग्यतायाः पतितादाविष सत्त्वाचिति दिक् ।

'यद्यन्देति' व्याचष्टे। तत्र चेति । दुहितृषु चेत्यर्थः । अनेन यदि तयोः समवायो भवेत्तदाऽन्हैवेति तत्र योजना स्चिता । तदेवाह । तदोति । धनं विनाऽविवाहे तस्या ऋतुद्र्यने पित्रादीनां नरकपातश्रुत्या युक्तमेवेदं, ततो निस्तारात् ।

तथा च पैठीनसिः-

" यावजो द्वियेते स्तनौ ावदेव देया अथर्तुमती भवित दाता प्रतिग्रहीता नरकमाप्रोति पिता पितामहः प्रपितामहश्च विष्टायां जायन्ते तस्माचित्रका दातव्योति "।

पराशरोऽिय-" अपुत्रमृतस्य कुमारी हार्थे गृह्णीयात्तद्भावे चोढेति ।" देवस्रोऽपि--

"कन्याभ्यश्च पितृद्रस्याद्देयं वैवाहिकं वसु । अपुत्रस्य तुकन्या स्वाधर्मजा पुत्रवद्भवेत् " । इति ।१५ स्वा सवर्णा । भर्मजा धर्मपत्नीजा ।

नारदोऽपि - (अ. १३ श्हो. २७)

"स्यानु चेद्दृहिता तस्याः पित्र्यांशो भरणे मतः । आ संस्काराद्धरेद्धागं परतो निभृयातपितः "॥

इति । अत्र हरेद्धागमिति ऊढानूढासाधारणं, भरणांशे विशेषः । एतेन " ऊढानूढासमनाये इति
चिन्त्यं, ताद्दशक्रमकल्पने मानाभावात् । यद्यनूढा भवेदि्त्यस्योक्तनारदादनूढा पितृभागं न २०

छभते किं तु आ विवाहं भरणं विवाहे।प्युक्तं दृथ्यं च । तद्धागं तु विवाहानन्तरमेवेत्यर्थपरत्वात् "

इति आन्तोक्तमपास्तम् ।

विशेषान्तरमाह । तथेति । प्रतिष्ठिता सधना । अप्रतिष्ठिता निर्धना । स्त्रीधनिमिति । तत् कन्यानां, तासां मध्ये अपरिणीतानामेव, परिणीतानां मध्ये निर्धनानामेवेत्यर्थः । नन्वेतच्छ्रुत्या मातृधनविषयकिमिति पक्कते कथं पैवर्तत अत आह । पितृधनेऽपीति । स्त्रीधनोद्देशेन दुहितृसम्बन्ध- २५ विधानेनोद्देश्यविशेषणत्वेन स्त्रीत्वस्याविवक्षितत्वात्तुन्यत्विमिति भावः । एतेन "यद्यप्यादौ सपुत्राया एव धनं तथापि सर्वथाऽविशेषादुभयोरिप विभज्य धनग्रहणम् । एतेन तथेत्यादि चिन्त्यं तस्य स्त्रीधनविषयत्वान्न्यायस्य पितृधनविषये दुष्टत्वात् " इति तदुक्तमपास्तम् ।

नतु दुहितर इति वाक्यं पत्न्यभावे पुत्रिकारूपकन्याया धनसंत्रन्थमाह, तदुक्तमन्वनुरे।धात्, न तु तत्सामान्यस्य, येनानूढादिक्रमः प्रागुक्तो भवेदित्याशयेनाह । न चैतिदिति । दुहितर इत्ये- ३० तदित्यर्थः । व्याख्याभेदेनाह । तत्सुतस्येति । एवं च तत्रैवोत्त्याऽत्रोक्तिः पुनक्केत्यनुपपन्नैव स्यादित्यर्थः । मनुना तु द्वादशपुत्रमध्ये सूद्रापुत्रो गणितो न पुत्रिकापुत्र इति तस्य तद्वक्तिस्तथेति भावः । " अपुत्रधनं पत्न्यभिगामि तद्भावे दुहितृगार्थति " प्रागुक्तविष्णुर्पि ।

" दुहितॄणामभावे तु रिक्थं पुत्रेषु तद्धनम् "—इति कात्यायनोऽपि ।

" मातुर्दुहितरोऽभावे दुहितॄणां तदन्वयः।" इति वक्ष्यमाणनारदोऽपि। (अ. १३। २ श्लो.) यत्तु " पत्न्यभावे स्नुषैव न दुहिता। तद्धिकारस्य पुत्रपत्न्यभावायत्ततया पत्न्यभावेऽपि पुत्रार्धशरीरसत्त्वेन पुत्राभावविरहात्।

तथा च बृहस्पतिः ---

" यस्य नोपरता भार्या देहार्ध तस्य जीवित । जीवत्यर्द्धे शरीरे तु कथमन्यः समाप्नुयात् "॥ इति ।

न च दुहितुः साक्षात्पित्रवयवारब्धत्वेन पित्रवयवारब्धपुत्रसहकारिस्नुषापेक्षया संनिक्वष्टत्विमिति वाच्यम् । दुहित्रपेक्षया सगोत्रसपिण्डायाः स्नुषायाः पत्यासत्त्यतिशयात् । पित्राद्विष्वतिप्रसङ्गस्तु न । तेषां वचनेनैव व्यवस्थानविशेषस्य नियमितत्वात् । यजापि पतिमरणानन्तरं पत्न्येव लभते तजापि १० मातृधनत्वेन तद्धनं दुहितृगामीति न भ्रमितव्यम् । जन्मना पुत्रस्येव विवाहात् स्नुषाया अपि भर्नृद्वारा श्वद्युरधने स्वत्वोत्पत्त्या श्वद्युरमरणे स्वश्रूस्नुषयोः स्वत्वसाम्येनै श्वद्युरमरणे स्नुषायाश्च साधारण-स्वाम्यात् " इति भ्रान्तः ।

तम । वस्तुतस्तथा सत्त्वेऽपि तद्भावायत्तत्वस्य तस्याशाब्द्त्वात् । पत्नीतः प्रागिप तद्धि-कारापत्त्या सकलव्याकुलीभावापत्तेः । " अधौ वा एष आत्मैनः " इति श्रुतिमूलकस्योक्तबृहस्पतेः १५ प्रत्यासत्त्या तादृशपितधनविषये पत्न्या अधिकारबोधकत्वेन पकृतेऽप्राप्तेः । तत्प्रत्त्यासत्त्र्यपेक्षया स्तुषायां तादृशपत्यासत्त्यतिशयाङ्गीकारे दुहितुरिप पाक् पिञादेरिधकारापत्त्या स्मृतिविरोधबाहुल्या-पत्तेः । स्थानविशेषनियमितत्वस्य स्नुषायामि तुल्यत्वात् । तस्या अपि गोञ्जत्वात् । एतेन यञा-पीत्याद्यप्रिममिप निरस्तमिति दिक् ।

अनुपान्नमभिपायतो व्याचष्टे । चशब्दादित्यादिना हरेद्धनमितीत्यन्तेन । एतेन २० दुहितर इति बहुवचनेन दौहित्रग्रहणमिति प्राच्योक्तं पत्नीत्यादिकमसंबन्धात्स्वान्ते दौहित्राः दौहित्राधिकार इत्यन्योक्तं चापास्तम् । बहुवचनफलोक्त्वात्स्य । रैं।ज्ञोऽभावा-भोवनानीधकारापनेश्व ।

विष्णवायनुरोधेनाह । दौहित्र इति । तदेवाह । यथाहोति । अन्यथा तेषां निर्विषयता स्यादिति भावः । अपुत्रेति । सन्तन्यते यस्यामिति व्युत्पत्त्या सन्तानशब्देन 'पत्नी दुहिता' चोच्यते । अत एव नारदः—( अ. १३ । श्हो. ५० )

२५ " पुत्राभावे तु दुहिता तुल्यसन्तानकारणात् । पुत्रश्च दुहिता चोभौ पितुः सन्तानकारकौ॥ '' इति । " सन्तानोऽपत्यगोत्रयोः सन्ततौ देववृक्षे चेति '' विश्वोऽपि ।

त्रयाणां द्वन्द्वोत्तरं बहुवीहिः । तस्मिन्पुरुषे मृते सतीत्यर्थः । अन्ययीभावेन न्याख्यानं तु अयुक्तम् । नञा तद्भावस्य भाष्यसंमतत्वात् । सन्तानपद्वैयर्थ्यापत्त्या कर्मधारयोऽप्युक्तः । तथा च पुत्रपौत्रपत्नीदुहित्रभावे सति तद्धनं दौहित्रा आप्नुयुर्तित्यर्थः ।

३० 'यथ्वार्थहर: स पिण्डदोऽपीति ' **बृहस्पतेः** " यो धनमाददीत स तस्मे श्राद्धं कुर्या-

१ ड-च्यक्तं स्थानविशेषस्य । २ ख फ-स्वत्वसाम्ये तु पाण्यमाधारणस्वाम्यातः । ३ राज्ञः सर्वदा विद्यमानत्वेन तद्भावस्य कदाप्यभावेन सब्बह्मचीरिपयन्तामाव तस्याप्याधकारित्वेन आयकारिसामान्याभावकपस्य सर्वान्तत्वस्यासम्भवेन दौदिवस्य अनिकारापत्रेश्चात्यर्थः ।

विण्डं च त्रिपुरुषं द्यादिति ' वृद्धशातातपोक्तिश्वाह । पूर्वेषां त्विति । पूर्वेषां मातामहादीनां स्वाकारे श्राद्धादौ दौहित्रकाः । स्वार्थे कन् । पौत्रा एव मता इत्यर्थः ।

अत एव **मतुः**—( अ. ९ स्टो. १३१ । १३२ । १३३ । १३९ )

- " मातुस्तु यौतकं यत्स्यातकृमारीभाग एव सः । दौहित्र एव च हरेद्पुत्रस्याखिलं धनम् ॥
- " दौहिंचो ह्यखिलं विकथमपुत्रस्य पितुईरेत् । स एव द्यात् दौ पिण्डौ पित्रे मातामहाय च ॥
- " पौजद्रौहित्रयोलिकि विशेषा नास्ति धर्मतः । तयेहिं मातापितरौ संभूतौ तस्य देहतः ॥ " इति ।
- " गौनदौहिनयोलेंकि विशेषो नोपपयते । दौहिनोऽपि ह्यमुनैनं सन्तारयति गौनवत् ॥ " इति च ।

यबपीदं सर्वे पुत्रिकापुत्रविषयं प्रकरणात्, व्याख्यातं च मेधातिथिना तथैव, तथापि न्यायसाम्याद्त्र सम्मतित्वेन लिखितम् । अत एव विज्ञानेश्वर एतत् सर्वे विहायैतत्प्रकरणस्थमपि अकृता वेत्युक्तया साधारणं मनुवाक्यमात्रं संमतित्वेनाह । मनुरपीति । पुत्रिकात्वेनाकृता वा कृता १० दुहिता सहशात्सवर्णाद् यं सुतं पुत्रं विन्देत लभेत तेन तत्सुतेन मातामहः पौत्री पौत्रवानेव । अत एव स सुतः उक्तहेतोः पाठकमाद्रार्थकमस्य बलीयस्त्वात्तस्य धनं हरेत् गृह्णीयात्पिण्डं द्याचेत्यर्थः । मेधातिथिना त्वयमपि श्लोकः केमुतिकृत्यायेन पौत्रिकेयपरतयैव सिद्धान्तितः ।

#### बृहस्पतिर्धि-

" यथा पितृयने स्वाम्यं तस्याः सत्स्विप बन्धुषु । तथैव तत्सुतानां च तद्भावे तु धर्मतः ॥'' इति । १५

अञ्चेदं बोध्यम् । यद्यपि मानवे पुंस्त्वैकवचनाभ्यां दोहिञ्चस्येव धनभाक्त्वमायातीति तावदेव विज्ञानेश्वरेण चराब्दसमुचेयमुक्तं तथापि दोहिञाभावे दोहिञ्यास्तत्त्वमपि चसमुचेयम् । 'अप्रजःस्त्रीधनं भर्तुरिति । वश्यमाणेनाप्रजःस्त्रीधनोद्देशेन भर्तुर्द्वाहिञ्यादेश्च संबन्धाविधानेनोद्देश्याविशेषणत्वेन स्त्रीत्वादेरिविक्षितत्वेन ' दुहितूणां प्रसूना चेदि । त्यस्य पिनृधनेऽपि तुल्यत्वात् । एवं रीत्या ' मातुर्दु-

हितर १ इति नारद्रस्याप्यवानुक्टल्वात् । युक्तं चैतत् । यथा मातृधनग्रहणे दुहितृ- २० दौहित्री दौहित्रपुत्रपं व्यादिकमस्तथा पितृधने पुत्रपी त्रप्रपी वपत्नी दुहितृदौ हित्रदौ हिञ्चादिक्रमस्य प्रत्यासित्तितारतम्येन न्यायप्राप्तत्वात् । "श्रीधनं दुहितॄणामप्रत्तानामप्र-

तिष्ठितानां चेति '' गौतमवचनस्य (अ. २८ सू. २२)। पितृधनेऽपि समानत्वादित्यनुपद्मेबोक-वता विज्ञानेश्वरेण स्वितत्वात्ततंमतमर्गदम् । अन्यथा दौहिज्याः पूर्वत्र वक्ष्यमाणेषु च स्वतो नोकत्वाद्नन्तर्भावाच पितृधनिषये तस्या अनिधकारस्यैवापत्तिरिति महान् दोषः । अमे २५ यथाकथंचिद्नतभीवे तु प्रथमं धनग्रहणे प्रत्यत्मत्तेनियामकत्वनोधकमन्वादिविरोधः स्पष्ट एव । अत एवामे भ्रात्रनन्तरमेव तत्सुतोक्तिरितीति । अत्र पागुक्तविष्णुकात्यायनिवरोधपरिहारस्तु अनुपद्मेव स्कृटीभविष्यति ।

अथाभिमं व्याच्छे । तद्भावे इति । पितरावित्यत्र न सरूपैकरोषः, " पिता मात्रा " इतिस्मृत्यन्तरानुरोधादित्याह । मातापितराचिति । नन्वेवमपि एकरोषत्वादेव एकेनैवोभयप्रतीत्या ३० मिलितयोरेव तयोर्धनसम्बन्धः प्राप्नोति, नैच्छिकेन प्रतिनियतेन वा क्रमेणेति स्मृत्यन्तर-विरोधस्तदवस्थ एवेत्याश्येन शङ्कते । यद्यशीति। तत्र तावत् एकदेशिमतेनाह ।

पितरी युगपदिति। युगपत् अधिकरणानां द्रव्याणां वचनं यैः पदैः तेषां भावस्तता तस्या-मित्यर्थः । दिवचनायन्तेनैकशेषसाधनार्थमयं पक्षो भाष्ये सरूपस्त्रे एकदेशिनोक्तः । अग्रे तु भगवता " सेयं युगपद्धिकरणवचनता दुःखा दुरुपपादा च " इत्यनेन दूषितः । उत्स-गीपवाद्योः साम्यादुत्सर्गेऽपि तथेत्याशयेनात्र इन्द्रस्मरणादित्युक्तं, तदेवाह । तद्पवाद्त्वादिति ।

वस्तुतस्तु इतरेतरद्दन्द्देऽपि समूहस्यैव प्राधान्यात्समाहारे तस्यानुद्भृतावयवभेद्त्वं तत्र तूद्-भूतावयवभेद्त्वमिति भेदाङ्गीकारादितरेतरविषये एवैकशेषाङ्गीकारात्ममूहस्यैव प्राधान्येन प्रतीत्या तस्यैव तत्र निमित्तत्वपातिः। किं च एकशेषे एकपद्छोपेन ' यः शिष्यत " इति न्यायेनावशिष्टस्यैव तत्स. मूहबोधकत्वेन तत्त्वम्। यत्र हि पृथगुपस्थितिः कारणान्तरं वा तत्रैव क्रमबोधः, तत्र पृथगुपस्थित्या-देस्तन्त्रत्वात् इति बोध्यम्॥ एतेन पूर्वपक्षोऽयुक्तस्तन्यतस्यासिद्धान्ततत्व।दित्यपास्तम्।

क्रम इति । यथाकथाञ्चित् कम इत्यर्थः । तथा च स्मृत्यन्तरिवरोधस्तद्वस्थ एवेाति भावः । एतनेतरेतरयोगसमाहारयोविधीयमानद्वन्दस्योभयपदार्थप्रधानत्वात्तद्वपवादै क्रेशपस्यापि युगपद्- १० धिकरणवचनत्वेन क्रमाप्रतीतिरिति व्याख्यानमपास्तम् । असिद्धान्तत्वादिति दिक् ।

समाधते । तथःपीति । विश्वहिति । माता च पिता चेति एकशेषविग्रहवाक्ये इत्यर्थः ।
ननु वाक्ये ऐच्छिकप्रयोग इति न तथा नियमः, पूर्वनिपातप्रकरणं हि समासे एव तथा प्रयोगः
नियामकम्, अतो युक्त्यन्तरमाह । एकशेषाभावपक्षे चेति । अत एव चो व्युत्क्रमे अवणादित्यस्याग्रे बोध्यः । पूर्विमिति । अभ्यहितिमित्यनेनेति भावः । पाठेति । तत्र प्रयोगे तच्छब्दस्यैव पूर्वमुचा१५ रणेन तत्क्रमेणैवार्थक्रमपतीत्या मातापितृसमूहस्यैव बोधेऽप्युद्भृतावयवभेद्त्वात्पूर्वोत्तर्त्र प्रत्येक्षमेव
तत्संबन्यस्य विजातीयानां बोधनात् स्मृत्यन्तरानुरोधाच अत्रापि पत्येक्षमेव धनसंबन्धः । तत्रापिधनग्रहणे क्रमापेक्षायामुपस्थितमिति न्यायेनोपस्थितक्रमेणैवाद्ये मातुस्तद्भावे पितुर्धनसंबन्धस्य पर्यवसानमित्यर्थः ।

नन्वयुक्तमेतत् । पितरावित्यत्रान्यशब्दस्थक्रममादाय तथा प्रतिपादने स्वारस्याभावात् । " पिता, २० मात्रा " इत्यत्र तु तृतीयानिर्देशेन तस्या अप्राधान्यप्रतीतेः । पितृशब्दस्यवोद्यारणेन द्विवचनस्य सजातीयासजातीयानेकबोधकत्वेनेष्टार्थबोधस्य तात्पर्यग्राहकसापेक्षत्वन च पूर्व पितुरेबोपस्थितेश्च । अत आह । किं चिति । पितृत्वस्य यावत् सवर्णाऽसवर्णाजातपुत्रत्वनिरूपितत्वेन साधारणत्वानमात्र-त्वस्य स्वजातपुत्रत्वमात्रनिरूपितत्वेन मिथोपेक्षया मिथो व्यवहितोऽत्यन्तसानिहितश्च संनिकर्ष इति मातु-स्ततोऽधिकप्रत्यासत्तिरिति भावः ।

ननु धनग्रहणे पत्यासत्त्यतिशयस्य नियामकत्वे एव किं मानम्, अत आह । अनन्तर इति । मनूिकिरियम् । सिपण्डादिति " दूरान्तिकार्थैः " (च्या.सू. २।३।३४) इति षष्टचर्थे पञ्चमी । तथा च सिपण्डस्य योऽनन्तरः संनिहितः तस्य सिपण्डसंनिहितस्य धनं तस्य सिपण्डस्य भवेदित्यर्थः । एवं च प्रत्यासत्तेनियामकत्वं मनुना स्पष्टमेवोक्तम् ।

नन्तनुगतं कारणं हि लोके दृश्यते, प्रकृते तु न तथा । अनन्तर इति मनुना सापिण्ड-३० पदोक्त्या सपिण्डेष्वेव प्रत्यासत्तेनियामकत्वं न सोदकादिष्विति प्रतिपादनात् । तथा च तत्र कार-णान्तरेऽवश्यं वक्तव्ये सपिण्डेष्वपि तदेवास्तां किमनया प्रत्यासत्त्येत्याशयेनाह । न चेति । न हीत्यर्थः । "बहवो ज्ञातयो यत्र सकुल्या बान्यवास्त्रथा । यस्त्वासन्त्रतरस्तेषां सोऽनपत्यधनं हरेत् ॥"

इति बृहस्पतेस्तत्र सिपण्डपदं सोद्कादीनामप्युपलक्षकमित्युभयत्र सैव तत्र नियामिके-त्याह । आपि त्विति । 'अस्मादेवेति ' एवोऽप्यर्थे । 'मातापित्रोरिति ' निर्धारणे षष्टी । अनेन

'ग्रह्मी दुहितर' इत्यत्र सर्वत्र मृतनिरूपितप्रत्यासत्त्यतिशयस्यैव क्रमेण धनग्रहणाधिकारितावच्छेद्कत्वं विवक्षितं मूलकृत इति सूचितम् । तद्भावे पितिति । अत एव च मनुना पितुरनन्तरमेव प्रातुर्ग्रहणं कृतम् । यदि तु पूर्वे पितुस्ततो मातुरिति क्रमोऽत्र स्यात्तदा तद्ननन्तरं तदुक्तिरसङ्गृतैव स्यात् । इद्मेव ध्वनयितुमिश्रमव्याख्यानेऽव्यवहितं मनुमेव वक्ष्यति । इदं सर्वे पागुक्तशंखवाक्यस्थे पितरावित्यत्रापि बोध्यम् ।

वस्तुतस्तु आदी पिता तद्भावे मातिति कमी युक्तः । किं चेत्यस्यावतरणोक्तयुक्तेः । किं पे चेत्यायुक्ततारतम्यसत्त्वे अपि पुत्रे पित्रवयवबाहुल्यान्मात्रपेक्षया तत्र प्रत्यासत्त्यतिशयात् तद्पेक्षया तस्य अभ्यहिंतत्वात् । क्षेत्रजविशेषविषये उक्तवैपरीत्यस्य सत्त्वेन तथा तस्यापि दुर्वचत्वाच । किं च । तदेव हि प्रत्यासत्ते प्र्रंतिकारणं, 'मातुर्द्वाहितर ' इत्यात्रपि तथैव विद्याने व्यवस्था पिति पादितं च । अप्रे बन्धुपद्व्याख्यावसरे " आत्मबान्धवाः पितृबान्धवा मातृबान्धवाः " वृद्धशाता-तपायुक्तकमेणैव प्रतिपादिताः । स्रीधनविभागवैपरीत्येनात्रैवमेवोचितं च । अत एव च विष्णु- १० कात्यायनौ प्राग्रको, " अपुत्रधनं पत्न्यभिगामि, तद्भावे दुहितृगामि, तद्भावे दौिहत्रगामि, तद्भावे पितृगामि, तद्भावे मातृगामीति "

"अपुत्रस्याथ कुलजा पत्नी दुहितरोऽपि वा। तद्भावे पिता माता भ्राता पुत्राश्च कीर्तिताः"॥ इति च। अन्यथा तयारपि कमबोधकत्वेन तिहरोधो दुष्परिहर एव। एतद्नुरोधेन तयोरन्यथा नयनस्य कर्तुमशक्यत्वात् । इदं तु तद्नुरोधेनोक्तरीत्या सुयोजमेव।

देवलोऽपि,—

'' तुल्या दुहितरो वाऽपि भ्रियमाणः पिताऽपि च '' ॥ इति । अत एव च न समुद्तियोरिधकारः। अनपत्यस्येति पागुक्तं मानवम्,

''भार्यासुताविहीनस्य तनयस्य मृतस्य तु । माता रिक्थहरी ज्ञेया भ्राता वा तद्नुज्ञया ''॥

इति बार्हस्पत्यं च पितृपर्यन्ताभावपरं तत एवेति न विरोधः । तत्र तद्नुज्ञयेत्युक्त्या २० तद्भावे नाधिकार इति सूचितम् । शांखवाक्येऽप्येवमेवेति बोध्यम् । दौहित्र्याशे विष्णुविरोधोऽपि न । दौहित्र्यामीत्यत्रैकशेषघटितसमासेन तस्या अपि परिग्रहात् । दौहित्रांशे कात्यायनिवरोधोऽपि न । तत्र अपिशब्देनोभयोः समुच्चयात् । तत्र 'पुत्रा' इत्यस्य प्रत्यासत्त्या भ्रातुष्पुत्रा इत्यर्थः । अत्र माता जननी, अभावे सापत्नमाताऽपि । मातृपदोक्तेः ।

अग्रिमं व्याचिष्टे । **पित्रभावे इति ।** 'भ्रातृपुंत्री' इत्येकशेषेण पागुक्तसिद्धान्तरीत्या पूर्व २५ भ्राता, तद्भावे स्वसा । अत एव—

भ्रातरः "भ्रातरो ये च संसृष्टा भगिन्यश्च सनाभयः"।

इति संसृष्टिधनविषये वक्ष्यमाणं सङ्गच्छते इति नोध्यम् । भ्रातर एव वेति। अत्र वाशब्दः व्यवस्थितविकल्पे इति पाक् प्रतिपादितम् । 'तद्भावे भ्रातृगामीति' विष्णुवाक्येऽप्येवमेव नोध्यम् । कातीये भ्रातेति स्वसुरम्युपलक्षणं नोध्यम् ।

मातुरभावे पिता धनभागित्युक्तम् । तस्य सिद्धिर्मन्वधीना उक्तरीत्येति पित्रभावे इत्यादि एव वेतीत्यन्तं मध्ये उक्त्वाऽन्येरन्यथा सिद्धान्तितं निराकर्तुं सिंहावलोकनन्यायेन। तुवद्ति । यत्यु-

१ न्या सू ( श्रापाहट )

निरित । यत्तित्यर्थः । वृत्तायां, मृतायास । विजातीयेष्वपीति । सूर्द्धाविसकादिष्वपीत्यर्थः । पित्रा गृहीते तद्धनस्य तदीयत्वात् इति भावः । उद्धादिष्टिष्वेवे।ते । तया गृहीते तद्धनस्य मातृ-सम्बित्वेनाद्दै तद्बुहित्रॄणां तद्भावे दौहित्रादीनां कमाद्भवतीति सजातीयानामेव भवतीति भावः । उपसंहरति । इतीति । इत्येवं मनोराशयादित्यर्थः । पितामहोवेति । मातुरभावे इत्यादिः ।

निराकरोाति । **एतद्पीति ।** प्रागन् दितमित्यर्थः । आचार्यः न्यायविद्विश्वरूपाः चार्यः । केनेत्याकांक्षायामाह । चतुस्त्रीति । एवं च तेषामपि वचनेनैव धनभागित्वस्योक्तते । नोक्तरीत्या परम्परया विजातीयपुत्राणां धनग्रहणेऽपि न दोष इति न तन्मतसम्भव इति भावः । उक्तमनुवाक्यं तु न कमपरं, किं तु अधिकारमात्रप्रदर्शकम् ।

यद्दा । माञ्चनन्तरं पितृभातृततसुताः क्रमेण धनभाजस्तेषामप्यभावे पितामही हरेदि्त्येवम-१० ध्याद्वत्य व्याख्येयम् ।

यद्दा । नाध्याहारोऽपि, किं तु 'पितुर्माते' त्यत्र पितृशब्दे तन्त्रम् । तत्रैकः पितरं तद्पत्यं पुत्रं पौत्रं च लक्षयति । अनन्तरमिति शेषः । पितुर्मातेत्येतत्पदृद्दयं तु तद्गनन्तरं पितौमह्या धनसम्बन्धं बोधयतीति गम्यते । यतः सूत्रपाया मुनीनामुक्तिः । अत एव पितामहीत्यव नोक्तमिति केचित् ।

वस्तुतस्तद्दचनस्य स्वरसार्थ उक्तप्रकारत्रयं विनाऽपि पाक् व्याख्यात इति बोध्यम् । अव्यवहितार्थे प्रसक्तमनुविरोधं परिहरति । यत्पुनिरिति । पाग्वत् । नित्यं सर्वथा स्थितिः शास्त्रमर्याद् । तस्तृपेति । राजपदोक्तेः, 'सर्वेषामप्यभावे त्विति ⁷ वक्ष्यमाणमानवात् अग्रे तद्वकेश्चेति भावः ।

एवं परमतं निराक्टत्य पित्रभावे भ्रातर इति पागुक्तं बहुवचनान्तं भगिनीनामापि विभागं सूचियतुं विशत्यित । भ्रातृष्विपि सोदरा इत्यादिना । मात्रा कृतात् ।

२• अथाप्रिमं व्याचिष्टे । भ्रातृणामपीति । 'तदभावे आतृपुत्रगामीति '
भिन्नोदरा भ्रातरः विष्णुरप्युक्त एव । तत्पुत्रा इति । आतुः पुत्राः कन्याश्चे, स्वसुः पुत्राः
कन्याश्चेत्यर्थः । उक्तन्यायेनाह । पितृक्रमेणेति । सोद्रासोद्रपितृक्रमेणेत्यर्थः ।

यतु 'अनेकिपितृकाणामिति ' पूर्वोक्तन्यायेन तत्सुतानामेकत्वे अवैलक्षण्येऽपि द्वित्वे बहुत्वे च स्वस्विप्रवादिद्वारा भागकल्पना न स्वस्वरूपत इत्यर्थ इति । तन्न । आतृणां पूर्वमृतत्वेन आतृ- धने स्वत्वानुत्पत्त्या आतुष्पुत्राणामेव स्वामिनाशेन स्वत्वोत्पत्त्या पितृक्रमेण विभागानईत्वेन तद्-विषयत्वात् । तस्य पितृस्वत्वास्पद्वद्वयविषयत्वात् । स्फुटीभविष्यति चेद्मनुपद्मेव ।

सर्वत्रान्वितैवशब्दार्थं सिंहावलोकनन्यायेनात्रैवाशोकविनकान्यायेन विशद्यति । आतु-भ्रातुष्पुत्रेति । मृतस्य आतृणां प्रमीतिपतृकाणां केषांचित् आतुष्पुत्राणां च सद्भावे इत्यर्थः । अधिकारवचनादिति । " आतरस्तथा तत्सुताः " इत्यनेन तद्भावे एव तेषामधिकारप्रति-१ • पादनात्, एवशब्देन तत्सन्त्वे तेषां तन्त्विनिरासप्रतिपादनाच्चेत्यर्थः । अयं न्यायः सर्वत्र बोध्यः ।

यत्र मृतस्यैको भाता विद्यमानोऽनेके वा, प्रत्येक तत्पुत्रश्चेकोऽनेके वा, तद्दिषयमिदं भातृ-भातुष्पुत्रेति नातिप्रसङ्ग इति सूचयन् अनेकभात्रादौ स्थलविशेषे विशेषमाह । यदा त्विति । विभक्तादीनां बहुनां भातूणां मध्ये एकस्मिभित्यादिः । अपुत्रे, अपत्न्यादिके च । धनविभागा-

दिति । मृतभातृसम्बन्धिधनविभागात्पूर्वमेवेत्यर्थः । कश्चित् अन्यः । तत्पुत्रास्तु सन्तीत्याह । तदा तत्पुत्राणामिति । अनुपदोक्तस्योभयसत्त्वे तेषामनिधकारात् भातर एव विभज्य गृह्णीयुर्न तत्पुत्रा इत्यस्य च विषयता यद्यपि प्राप्ता तथापि पितृधनविभागप्रकरणोक्तन्यायविषयत्वसत्त्वात्तेन न्यायेनाह । पितृत इति । युक्तत्वे हेतुः प्राप्तिः । तथा च तेषां स्वांशालाभस्तत्पुत्राणां च स्विपित्रंश-लाभ इति भावः ।

अथाविमं व्याचिष्टे । भ्रातुष्पुत्राणामपीति । गोत्रजपदार्थं स्वरीत्याऽऽह । पितामहीति । भिन्नं पदम् । एतद्ये स्तुषा बोध्या । एवमयेऽपि । तथा च चत्वार इत्यर्थः । तत्र क्रममाह । तत्रेति । तेषां मध्ये इत्यर्थः । यद्यपि धारेश्वरमतिनराकरणावसरे एवापेक्षितत्वा-

गोत्रजाः। पितामही इक्तुमुचितामिदं तथापि तत्र हृद्यारूढमेव कृत्वाऽत्र, मनुना गात्रनन्तरं १० पितामह्या धनग्रहणस्योक्तत्वाञ्जातृसुतानंन्तरं कथं तस्या धनग्रहणोकि-

रित्याशंकानिरासायाह । मातर्याप चेति । इति इत्यनेन तत्क्रमबोधकेन मनुना । अनुप्रवे-शाभावादिति । यद्यपिदं तद्येऽपि तुल्यं तथापि बन्ध्वाद्युत्तरं तस्याः प्रवेश स्योक्तरीत्याऽन्तरङ्गत्वेन बासम्भवेन बन्धुशब्देन वक्ष्यमाणरीत्या ग्रहणासन्भवेन गोत्रजानन्तरं प्रवेशस्य तथैवासम्भवेन गोत्रजात्वस्य तत्र सन्त्वेनान्तर्भावसम्भवात् तत्रैव ग्रहणं युक्तमिति भावः ।

ननु बद्धक्रमाणामि पश्चितिनां मध्ये यां वैकां चिदिति विहितोपधानं मध्यमचितौ यथा, तथाऽत्रापि स्यात्, अतो हार्दमेवाह । पितुर्मातिति । मानवस्येति भावः । अधिकारमाञ्चेति । तद्द्वोधनमाञ्चेत्यर्थः । इद्मुपलक्षणं पागुक्तान्यपक्षाणामि । कातियेकवाक्यतया तस्य क्रमपरत्वमि न तद्दत् श्रोतं, विनिगमनाविरहयस्तं, सिद्धान्तरीत्या सर्वं सुयोजं च । एतेन पित्रादीनामित्यादि चिन्त्यं, चित्युपधानविरोधात्, कातीयैकवाक्यतया तस्य क्रमपरत्वाचेति भ्रान्तोक्तमपास्तम् । उत्कर्षे २० तत्सुतानन्तरमिति पाठः । उत्कर्षे इत्यस्यावश्यके इत्यादिः । उपरितनमृतानन्तरमिति पाठान्तरम् । उपरितनः पित्राद्यो भ्रावृसुतपर्यन्तास्तन्मरणानन्तरमिति तद्र्यः ।

अविरोधादिति । गोत्रजत्वस्य तत्र सत्त्वेन केनापि सह विरोधाभावादित्यर्थः । उक्तमनीगोरुकाशयकत्वेन वस्तुतः क्रमे तात्पर्याभावेन मूलकृता पुत्राद्यभावे पत्न्यादीनां केषांचित्तद्धिकारमुक्त्वा पितरावित्येकशेषेणं तयोरत्यन्ताव्यवधानोत्त्या मध्ये परोक्तमनूक्त्रक्रमेण तत्प्रवेशासम्भ- २५
वात्तद्वनत्तरमप्येकगोत्रत्वे सति स्विपृतुकुलत्वेनात्यन्तान्तरङ्गत्वादानन्तर्यपाठात्पुर्वाभावे इति वाक्यशेषाच तत्सुतान्तानामुक्त्या दृष्टकमत्वेनैव तेषां मध्ये तस्याः प्रवेशस्य दुष्करत्वात्तर्पर्यन्तमपकृष्य पृथगनुक्ताऽपि सती सा आपाततः परोक्तमनुप्रतीतक्रमस्यातः परं वाधे मानाभावात्त्तरारं गोत्रजा
इति पाठात् म् पतीततादशक्रमानुसारेण पितामहाद्यपेक्षया पितामह्या एव सिन्दितत्वप्रोद्याध्याव्याः
तद्नन्तरमेव धनभागिति भावः । प्रागुक्तसिद्धान्ते तु न कापि शङ्केवेति बोध्यम् । एतेन मृतस्य पितृ- ३०
सन्तानात्पूर्वे पित्रनन्तरं मातुरिधिकारोक्त्या पितामहसंतानात्पूर्वे पितामहादनन्तरं पितामह्या अधिकारः
सूचितः । अन्यथा पितरौ भ्रातर इति कमविरोधापत्तिः । अत एव च " मातर्यपीति, मनुरिप
सङ्गच्छते " इति प्राच्योक्तमपास्तम् । उक्तरीत्या निर्वाहात् तद्र्याज्ञानाच ।

अत्र केचित् । दौहित्रानन्तरं मातापितरौ धनग्रहणे युगपद्धिकारिणौ । उभयोरिप संनि-हितत्वात् । अत एव तौ विभज्य गृह्णीयातां न तु माता पूर्व तद्भावे पितेत्येवसुक्तकमः । इद्मेवा- १५ भिमेत्य मूळे पितरावित्येकशेषः कृतः । तत्र कमाप्रतीतौ पाश्चामिकन्यायोऽपि । तथा हि । पश्चमाद्यपाद्सप्तमाधिकरणम् । " मुख्य-कमेण चाङ्गानां तद्र्थत्वात् " । सारस्वतौ भवत इत्येनन पुरोडाशहिष्कं यागद्वयं विहितम् । सरस्वती देवताऽस्य सारस्वतः पुरोडाशः । सरस्वान् देवताऽस्य सारस्वतः । स च स च तौ सारस्वता-वित्येकशेषः । एवं सित स्त्रीदेवत्ययाज्यानुवाक्यायुगलमाम्नाये आदौ पिठित्वा पुन्देवत्ययाज्यानुवा-५ क्यायुगलं पिठितमिति मन्त्रपाठानुसारेण यागानुष्ठानकम इत्येतावानिधिकरणविषयमूलविभागः ।

इतः परमधिकरणिचिन्ता । पुरोडाशयज्ञस्येष्टिविकृतित्वात्यकृतिवादित्यातिदेशेन चतुरो मुष्टीनिर्वपतीति विहितो निर्वापस्तत्र पाप्तः । तत्र सन्देहः । किमानियमेन निर्वापः कर्त्तव्य उत स्त्रीदेवत्यनिर्वापं कृत्वा पुन्देवत्यनिर्वाप इति । तत्रातिदेशपाप्तनिर्वापे क्रमाप्रतीतरिनयमेन निर्वाप इति
पूर्वपक्षे-

१० राद्धान्तः । मुख्ययागक्रमेणेव निर्वापः कार्यः । तयोस्तु याज्यानुवाक्यायुगलपाठक्रमेणा-नुष्ठानक्रमः । अतः प्रमितक्रमाविरोधाय मुख्यक्रमानुसारेणैव निर्वापानुष्ठानक्रम इति ।

एवं च तत्राधिकरणे सारस्वतावित्युत्पत्तिवाक्ये एकशेषसत्त्वेन कमाप्रतीत्या यथा तयुगलपाठ-क्रमेण यागयोरनुष्ठानक्रमोऽङ्गनिकृतस्तथाऽत्रापि पितरावित्यत्र तत्त्वेन तद्पतीत्या सामान्यतो दौह्त्रानन्तरं मातापित्रोर्थुगपद्दिभज्य धनप्राप्तिस्तद्भावे आतृणामित्याद्दीति ।

- १५ प्राग्तकन्यायसूलिमदं मूलवाक्यं कात्यायनवचनेनापोद्यते । सामान्यन्यायापेक्षया वचनस्य प्रावल्यात् । वचनं च विभक्ते संस्थिते द्रव्यमिति प्राग्तकमेष । तस्य चायमर्थः । पुत्रग्रहणमासन्नत-रोपलक्षणार्थम् । तेन पुत्रपोत्रपपोत्रपप्नीदृहित्रदौहित्रदौहित्रयभावे प्रथमं पिता धनभाक् ततो माता ततो भ्रातेत्यादौति । व्याख्याकृदुक्तव्याख्याने दोषा अपि । तथा हि । यत्तु साधारणत्वासाधारणत्वाभ्यां ततस्तस्याः पत्यासस्यतिशय उक्तः, तन्न । जननीजनकयोर्जन्यं प्रति सन्निकर्षतारतम्याभावात् । २० यद्पि गोत्रजपदार्थास्त्रयः तत्र तदादितद्न्तानां बद्धक्रमत्वेन मध्ये तस्या अपवेशेन मन्त्रया मात्रनन्तरं सा धनं न प्राप्नोति अपितृत्कृष्टा सती भावृसुतानन्तरं प्राप्नोतीति । तद्पि न । गोत्रजा इति सन्त्रपैकशेषत्वेन पुंसामेव प्रहणात् । तथा च पूर्वोक्तभावृसुतैः सह गोत्रजानां पुरुषत्वेन बद्धभ्कमत्वविशेषण तत्रापि तस्याः प्रवेशासम्भव एवेति दिगित्यादः ।
- इदमयुक्तम् । न हि तावदेकरोषे क्रमाप्रतीतिः । विग्रहवाक्येऽनेकरोषपक्षे च मातुः पूर्वपाठा-२५ देव तत्प्रतीतिसम्भवात् । अधिकरणविरोधोऽपि न । विषयभेदात् । तत्र हि सारस्वतश्च सारस्वत-श्चेति सरूपैकरोषसत्त्वाद्विद्वहवाक्येऽपि न क्रमप्रतीतिरतः को वा क्रम इत्याकाङ्कायां श्रोतो मन्त्रक्रमो युक्त इति तत्क्रमेण यागानुष्ठानक्रमो निरूपितो न तु सर्वत्रैकरोषे क्रमप्रतीत्यभावस्तद्भियेतः । अञ तु पितामात्रेति विजातीयैकरोषसत्त्वाद्विग्रहवाक्याद्वाववर्यं क्रमप्रतीतेः स क्रमो युक्त एव ।

यचोक्तं जननीजनकयोरिति । तद्पि न । यतो गर्भधारणपोषणादिभिरत्यावश्यकत्वेन जन्ये-३० ऽतिशयोत्कर्षमुत्पाद्यति माता, पिता तु निषेककृदेव । अदृष्टात् दृष्टस्यैव प्रावल्येन दृष्टोपकारा-धिक्यान्मातुः सनिकर्षातिशयोऽस्ति ।

यद्पि गोत्रजा इतीत्यादिनोक्तम्, तद्पि न । विजातीयानामपि स्त्रीणां पुंसां च एक-विभक्त्यन्तत्वाविरोधात् । गोत्रजा इति जातिद्रव्यगुणा इतिवद्त्रापि तथा बद्धकमता । यतः पित्रादि-तत्सुतान्तानां स्वसिबहितत्वात्स्वपितृकुलत्वाचान्तरङ्गत्वेन बद्धकमत्वं न पुंस्त्वेन नापि पाठमात्रेण,

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अतस्तत्सुतानां गोन्नजानां च न बद्धकमता । अतः पत्न्यभावे दुहिता, तद्भावे दौहित्रः, तद्भावे माता, तदभावे पिता, तद्भावे भ्राता, तद्भावे तत्सुताः, तद्भावे पितामहीत्येव कमः ।

तथा च बृहस्पति:-

" भार्यास्तिविहीनस्य तनयाऽस्य मृतस्य तु । माता रिक्थहरी ज्ञेया भ्राता वा तद्नुज्ञया"।। इति । अस्यार्थः । सुतविहीनस्य मृतस्यास्य धनहरी भार्या, तद्भावे तनया, तद्भावे तत्पुत्रः, तदभावे माता, माञनुज्ञया मृतस्य भाता वा । भाञा गृहीतेऽपि माञनुज्ञया गृहीतत्वादेव माञा गृहीतमेवेति मातुरेव पितुः पूर्वे धनभाक्त्वामिति ।

यत्तु **बृहस्पाति**वाक्येऽपि तनयाशब्दो दुहितृद्गौहित्रपितूणामुपलक्षक इति । तन्न । अनुपपत्त्या हि लक्षकत्वं शब्दानाम् । एवं च सर्वत्राविवादेन दुहितुरभावे दौहित्रस्य धनभाक्त्वं वचनेष्वविशिष्टमिति दुहित्रनन्तरं स्मृत्यन्तरविरोधरूपानुपपत्त्या दुहितृदौहित्रयोरेवोपलक्षको न पितुः । तावतैवानुपपत्तेः १० गरिक्षायत् । तत्परिक्षयश्च **मानवा**द्वाक्यान्तरेषु पितुर्देीहित्रानन्तर्यस्यानियतत्वेन । अतो यावत्यर्थे लक्षितेऽनुपपत्तिशान्तिस्तावानेव तनयाशब्देन लक्ष्यत इति न सर्वथा पितुद्शीहिञानन्तरं प्रतीतिः।

यच कातीयं ' विभक्ते संस्थिते ' इति तद्पि वाबलान कमपरम् । अपि तु वचनोक्ता अधिकारिण इत्येवमधिकारमात्रप्रदर्शनपरमेव । विकल्पाभावेऽप्यपिशब्दार्था वाशब्दाः, न तु परोक्त-रीत्या पूर्वपूर्वाभावपरास्ते । अभावे वाज्ञब्दस्य शिष्टैरप्रयुज्यमानत्वात् । अप्यर्थे कोज्ञात् प्रयोगाच । १५ अथशब्दोऽप्यानन्तर्यपरो न मात्रनन्तरमेव पितामह्या धनसम्बन्धम् आह् । तस्योक्तरीत्याऽक्रम-परत्वात् । अतस्तत्सुतानन्तरमेवाविरोधाद्धनसंबन्धं बोधयतु तथापि स्वार्थोहानात् । क्रमादिति च मुलपर्यालो चनया मूलोक्तमविरुद्धमेव कमं बोधयति, न स्ववाक्यस्थम् । क्रमाादिति सामान्योक्ते-र्मूलोक्तविशेषेण बाधनात्, तत्रोपसंहाराचेति दिक् । तस्माद्याख्यानोक्तमेव युक्ततरमिति विज्ञाने-श्वरान्यायिनोऽप्ये आहुः।

वस्तुतस्तु प्रागुक्तरीत्या स कमो न युक्तः किं तु स एवेति प्रागुक्तमेव । एकशेषे कमाप्रतीत्या द्वयोर्युगपत्तत्वप्रतीताविप प्रागुक्तविष्णुकात्यायनाभ्यां तथा क्रमस्य स्फुटतया प्रतीतेः । विभक्ते संस्थिते इति कात्यायनवचनमप्युक्तार्थेऽनुकूलतरम् । तस्य चार्थः प्रागुक्त एव न भवदुक्तः । मुले एकशेषस्त लायवेन छन्दोनुरोधेन च कृता नोक्ताशयकः । पाञ्चमिकन्यायस्य तूक्तरीत्यैव विषय इति न न्यायमूलकत्वमपि मृलस्य ।

किं च । प्रागुक्तरीत्या जननीजनकयोर्जन्यं पति संनिकर्षतारतम्यमस्त्येवेति तद्कमयुक्तमेव । यत् गर्भधारणेत्यादि तन्न । गर्भधारणस्य पोषणस्य चातिप्रसक्तत्वेनाकिञ्चित्करत्वात् । अत एव बीजस्यैव प्राधान्यं सिद्धान्तितं **मन्**ना । अत एव च माता न स्त्रीत्यादि सङ्गच्छते ।

यत्तु गोत्रजा इति सरूपैकशेषत्वेन पुंसामेव ग्रहणमिति तन्न । तथा सति पितरावित्यन्नापि तद्ापत्तेः । अथ अञ ' पितामाञ्चे ' त्येकरोषा विशेषविहित इति चेत्, इहापि ' पुँमान् स्त्रियोति ' ३० विशेषविहित इति पश्य ।

यद्पि विजातीयानामपीत्यादि । तद्पि न । सरूपैकशेषाभावेनैकविभत्तयन्तत्वानुपयोगात् । तत्रापि तस्यानिमित्तत्व। च । दृष्टान्ते दंदसत्वेन छिङ्गभेद्रेऽपि प्रथमान्तत्वस्यावश्यकस्य सत्त्वेन ततो

१ मुनोधनी ( पृ. ७४ पं. १८।१९ ) २ व्या. सू. ( १।२। ७० ) ३ व्यास. ( १।२।६७ ) ४ ड-इप्टान्तेन । जिङ्ग भेदेऽपि ।

वैषम्या**त्र । गो**त्रजानां तत्सेतैः सह बद्धकमत्वाभावस्तूक्तरित्यैव । **बृहास्पा**तेवचननन्यस्माकनेवानुकूलं न भवताम् । यतो मात्रनन्तरं तत्र म्रातैवोक्तो न पितोति । तत्र तुशब्दस्य चार्थकत्वेन तनया चेत्यन्व. येन चेन दुहितृदौहित्रदौहित्रीपितॄणां समुचयेन विरोधलेशोऽपि न ।

एतेन तनयाशब्दस्योपलक्षकत्वोक्तिः तहूषणोक्तिश्वापास्ता । उक्तरीत्यैव निर्वाहात् । तस्मा-तत्र तथैव क्रमो युक्तो न व्याख्याकारोक्त इति बोध्यम् ।

यद्यपि कल्पतरौ दायविभागे च विष्णुनाक्ये 'भ्रातृपुत्रगामीत्यमे तद्भावे बन्धुगामि तद्भावे सकुल्यगामीति ' पाठेन तदिरोधस्तथापि 'तद्भावे सकुल्यगामि तद्भावे बन्धुगामीति ' मद्नरत्नधृतपाठे न विरोधः । युक्तश्चायं मूलसंवादात् । सम्भवतीति न्यायात् । एवं च स पाठ-श्चिन्त्य एवेति न कश्चिद्दोषः । गोत्रजपदार्थसकुल्यपदार्थयोस्तुल्यत्वात् । एतेन तथा पाठं धृत्वाऽन्यथा १० व्याख्यातं यद् भ्रान्तेन, तद्पास्तम् इति दिक् ।

'पितामह्याश्चेति ' चेन स्तुषायाः समुचयः । सपिण्डत्वस्यातिप्रसङ्गत्वेन मौलपदानुरोधेनाह । समानेति । तत्र हेत्वन्तरमप्याह । भिन्नोति । सपिण्डानां तेषामपि । अस्य फलमेम
स्फुटीभविष्यति । तत्सुतानन्तरं तस्या धनग्राहित्वे निष्पत्यूहे तद्रारभ्य कमं
पितामहाद्यः विविच्याह । तत्र चेति । तदुत्तरम् उक्तरीत्या तस्या धनग्राहित्वे चेत्यर्थः ।
ततोऽन्तरङ्गाभावमाह । पितृसन्तानाभावे इति । स च तत्सुतान्तः ।
सम्भवादाह । पितृव्या इति । सापिण्ड्यस्य तावत्पर्यन्तमेव सत्त्वादाह । आ सप्तमादिति ।
सप्तममभिन्याप्येत्पर्थः । अयमेव न्यायः सोद्केष्विप बोध्यः ।

ते च समानोद्कास्तु । ननु एवमपि न्यूनतैव, अत आह । जन्मनामेति । सपिण्डानामुपरीत्यनुवर्तते । तथा च सप्तपुरुषान्तरं यावज्ञन्म नाम च स्वकुले ज्ञायते तावहा समानोद्कसंज्ञकः

२० इत्यर्थः । उभयत्र मानमाह । यथाहोति । सप्तमे पुरुषे इति मासिकमितिवत्सामीपिकमधिकरणं, तद्श्रिमे निवर्तते इत्यर्थः । चस्त्वर्थे । चतुर्दशानां पूरणं तद्शिमश्चतुर्दशस्तस्मात् आ उर्ध्व निवर्ततेत्यर्थः । अधिकसंग्रहाय पक्षान्तरमाह। जन्मनाक्षोिति । आ इत्यनुवर्तते। जन्मनाभ्रोः स्मृतेर्ज्ञानात्
आ उर्ध्व स निवर्ततेत्येके आहुरित्यर्थः । तथा च स्मृत्यन्तरानुसन्यानद्वारा विकल्पः पालितः । स
चाधिकसंग्रहाय न तु न्यूनसंग्रहाय । तद्ये उक्तेः । अन्यतरस्यातिग्रसङ्गत्वादुभयोः समुचयो बोध्यः ।

२५ तच्छव्देन पक्षभेदेनान्यतरपरामर्शः । गोत्रं सगोत्रत्वम् । अर्श आग्रच्, १ (व्या. सू. ५।२।१२०)
सामान्ये एकत्वं क्रीवत्वं च ।

अथाप्रिमं व्याचष्टे । गोत्रजाभावे इति । बहुवचनान्तेन इन्द इत्याह । वन्धव इति । चस्वयं इति । चस्वयं इति । वान्धवाश्चेति पाठान्तरम् । तमेवाह । यथोक्तमिति । अत्र पुत्रादिग्रहणेन कन्यानामपि ग्रहणं प्रागुक्तरीत्येति बोध्यम् । अत एव गार्गीवन्धुः कारीषगन्धीबन्धुरित्यादिसङ्गतिः । तत्र कमे बीजमाह । तत्र चेति । तेषां मध्ये चेत्यर्थः । प्रत्यासत्त्यतिश्यात् अन्तरङ्गत्वम् । प्रागुक्तसिद्धान्तरीत्या आह । तद्भावे पितृवन्धव इति । अत एव वृद्धशातातपाद्युक्तिरपि सङ्गतेति भावः । एतेनादौ बन्धुगामीति धृत्वा तेनात्मभगिनी-भागिनेयादीनामपि सगोत्रसपिण्डादिक्रमेण ग्रहणं व्याख्यायेदं चिन्त्यं तेषु सतसु तेषां विप्रकर्षण तथाक्रमानौचित्यादिति आन्तोक्तमपास्तम् । आत्मभगिन्यादेः पूर्वमेवोक्त्वात् ।

१ ख-फ-सतैः सद् ।

यद्यपि 'भ्रातृबान्धवयोर्बन्धुरिति ' विश्वादिकोशाद्धन्धुशब्दो बान्धवपरतयैव व्याख्यातो व्याख्याता, भ्रातॄणां पूर्वमुक्तत्वात्, तथापि तस्य तावन्मात्रार्थत्वे बान्धवशब्दे एव वाच्ये बन्धुशब्दोक्त्या भगवतो ऽन्योऽप्यर्थो ऽन्नाभिमेतः । न च तत्त्वमप्रसिद्धं, न्नह्मबन्धुरित्यादिप्रयोगात् । 'आत्मैवात्मेनो बन्धुरि'त्यादिप्रयोगाच । तथा च प्रियकारिण्यपि तत्प्रयोगात्मकृते तत्त्वेन स्मृत्यन्तरानुरोधेनाचार्योऽपि । कृतैकशेषण दन्द्दकरणात् तद्रथोऽभिमत इति गृद्धाशयेनाह । बन्धु-नामिति । उक्तविधवानधवानामित्यर्थः ।

अथाप्रिमं व्याचिष्टे । तद्भावे शिष्या इति । अत्रापि इतैकरोषेण तथा इन्द्र इति भावः । तेनानेकसजातीयसत्त्वे विभज्य तैर्प्राह्मम् । तदेव स्मृत्यन्तरमाह । पुत्राभावे इति । यः प्रत्यासन्नः सपिण्ड इति । अनेन पत्न्यादिबान्धवान्तानां संग्रहः । तस्य ततो मुख्यत्वा- याह । आचार्याभावे इति । 'अनन्तरः सपिण्डाय ' इत्यिग्रिमो मनुरपि— (अ. ९ । १८७) १०

" अत ऊर्ध्व सकुल्यः स्यादाचार्यः शिष्य एव वा " । इति ।

अथात्रिमं व्याचष्टे । शिष्याभावे इति । सबह्मचारीत्येकवचनमन्तेवास्यभिमायम् । सन्दिग्ध-त्वात्तर्द्थमाह । येनेति । साहित्यं प्राप्ता । तद्र्थेति । वेदार्थेत्यर्थः । ब्रह्म वेदः । तद्र्ध्यय-नार्थं व्रतमपि ब्रह्म । तच्चरतीति ब्रह्मचारी । समानश्वासौ ब्रह्मचारी च सब्रह्मचारी । 'व्रते ' इति । (व्या. स्. २।२८०) 'सुप्यजाताविति ' (व्या. स्. ३।२।७८) वा णिनिः । 'चरणे ब्रह्म- १५ चारिणीति ' (व्या. स्. ६।२।८६) सादेशः । तस्य समानत्वं वेदस्य व्रतस्य वा समानत्वात् । तस्य तत्त्वं चाध्येतृभेदाद्देदभेदं व्रतभेदं वा परिकरुप्य बोध्यम् । तेन समानवेदाध्ययननिमित्तब्रह्मचर्य-वानित्यर्थः । समानं ब्रह्म वेदाध्ययनार्थे व्रतं चरतीत्यर्थो भाष्याद्यभ्यते ।

अत्र कृतैकशेषबहुवचनान्तसब्रह्मचारिशब्देन द्वन्दः। अन्यथा तद्वोधकं शब्दान्तरमेवोक्तं स्यात्। तत्रैकस्यार्थ उक्तः। द्वितीयस्य तु समानं ब्रह्म श्रीतं कर्म चरतीति ऋत्विग् इति। अत २० एवा "अन्तेवासी ऋत्विग्व्याहरेदिति" शङ्काः सङ्गच्छते। तृतीयस्य तु ब्रह्म वेदस्तेन सहितं विशिष्टं सब्रह्म वेद्तदङ्कानि तचरति जानातीति सः श्रोत्रिय इति। तुर्रायस्य तु ब्रह्मचारिणा सह सदृशः सब्रह्मचारिति। तदेतत्तर्त्वे शिष्यबुद्धिवेशद्यार्थं द्वितीयविशेषं च हृदि निधाय गृद्धाशयेन न्यूनतां परिहरन् तद्ग्रिमविशेषद्यं सविशेषमाह ऋमेण। तद्भावे ब्राह्मणद्रव्यमिति। यःकश्चित्, स्वपरजातिसाधारणो ब्राह्मणः। श्रोत्रियाः वेद्तदर्थशः। तद्वहृत्वेऽसति गमके विभज्य गृह्णीयु- २५ रित्याह। श्रोत्रिया इति। ब्राह्मणा इत्यर्थः।

ब्राह्मण्डम्प्रिति । मात्रमवधारणे । तेन श्रोत्रियत्वव्यवच्छेदः । शिष्य एव वेत्यात्रमं मनुमाह । यथाहेति । सर्वेषां पत्न्यादिश्रोत्रियान्तानाम् । तस्येति भावः । अपिरेवार्थे व्युक्तमे । ब्राह्मणा एव । बहुवचनं प्राग्वत् । वेद्राध्ययनधर्मानुष्ठितिमात्रमत्राप्यपेक्षितमित्याह । वैविद्या इति । वेद्त्रयाध्ययनकर्तारः । शुच्चयः धर्मानुष्ठातारः । अन्तरिन्द्रियनिष्रहोऽप्यावश्यक ३० इत्याह । दान्ता इति । तथा तथा सति । राज्ञेति शेषः । तस्मादिति पाठे राज्ञ इत्यर्थः । अन्यथा तु हानिरेवेति भावः ।

१ भगवद्गीतायां स. ६ स्ती. ५

[ श्लोकः १३५

तदेव ध्वनयनाह । न कदाचिदिति । राजा अभिषिकः । श्रोत्रियोऽपीत्यर्थः । न हीयते इत्यग्रिममेवाह । अहार्यमिति । अग्राह्यामित्यर्थः । नित्यं, सर्वथा । स्थितिः मर्यादा । उक्तमेव विशद्यन् त्रैविद्यत्वादिगुणाभावेऽपि जातिबाह्मणोऽप्यधिकारीति सूचयन् उक्तार्थे मानान्तरमप्याह । नारदेनाप्युक्तमिति । ब्राह्मणार्थस्येति । तस्य स्वामिनो ब्राह्मणस्य नाशे सति । चेत्, यदि ब्राह्मणार्थस्य तद्धनस्य कश्चन दायादो नास्ति, तदा तद्धनं ब्राह्मणार्थेव दातव्यमित्यर्थः । यदा । तिदिति भिन्नं पदम् । नाशे इत्यत्र स्वामिन इति शेषः । तत् ब्राह्मणधनम् । सामान्येन नपुंसकत्वनिर्देशः । विषेयिविद्धं वा । अन्यथा, स्वयं हरणे ।

बाह्मणद्रव्यमित्युक्त्याऽऽकांक्षितिविशेषमाह । श्रित्रियादीति । पत्न्यादीनामित्यादिः सब्रह्मचारि-पर्यन्तानामित्यस्य । स्थितिरित्यग्रिममेवाह । यथाहेति । इतरेषां प्रागुक्तबाह्मणभिनानाम् । धन-१० मिति शेषः । सर्वाभावे पत्न्यादिसब्रह्मचारिपर्यन्तानामभावे । अत्र मन्वनुरोधेन गौतमस्य बाह्मणपरत्वं, मनोरिप श्रोत्रियपरत्वं त्रैविद्या इत्यादिना स्पष्टमेव । एवं च तदुभयं तत्रैव साधकम् । शुद्धबाह्मणपरस्तु नारद् एवेति परे । एवं मूलोक्तकमे न कोऽपि दोष इति स्थितम् ।

अत्र पुत्राचेतावत्पर्यन्तं यदुकं तच्छेषतया किञ्चित्सिद्धान्ततत्त्वं गूढतममभिमतं स्पष्टार्थ-मुक्तार्थीनुवादसहितमुच्यते ।

१५ पुत्रपौत्रपपौत्राणां विविधफलानि—दायहरणं, जीवतो वाक्यादिकरणं, वैशाविच्छित्ति-परिहरणं, पिण्डादिकरणं, नामसङ्कीर्तिकरणम्, ऋणादिदोषनिवृत्तिकरणं, परलोककरणं चेत्यादीनि स्मृत्यादौ प्रतिपादितानि । तत्र मनुः, — (अ०९ श्लो० १६३।१८५)

"एक एवीरसः पुत्रः पित्र्यस्य वसुनः प्रभुः । शेषाणामानृशंस्यार्थं प्रद्यात्तु प्रजीवनम्" ॥ इति । " न भ्रातरो न पितरः पुत्रा रिक्थहराः पितुः " ॥ इति च ।

२० अत्र द्वितीयेन दायहरणं सर्वेषामविशेषेण प्रतिपादितं प्रतिनिधीनां ऋमेण तत्तद्भावे । औरसंस्य तु पूर्वेणैव ।

मूलमपि पागुक्तमेव-- (याज्ञ. अ. २ श्लो. १२८।१३३)

" औरसो धर्मपत्नीजस्तत्समः पुत्रिकासुतः । क्षेत्रजः क्षेत्रजातस्तु सगोत्रेणेतरेण वा ॥

" गुहे पच्छन उत्पन्नो ग्र्डजस्तु सुतः स्मृतः । कानीनः कन्यकाजातो मातामहसुतो मतः॥

२५ " अक्षतायां क्षतायां वा जातः पौनर्भवः सुतः । द्यान्माता पिता ये वा स पुत्रो द्त्तको भवेत् ॥

" क्रीतश्च ताम्यां विक्रीतः कृत्रिम । स्यात्स्वयंकृतः । दत्तात्मा तु स्वयंद्त्तो गर्भे विन्नः सहोढजः ॥

" उत्सृष्टो गृह्यते यस्तु सोऽपविद्धो भवेत्सुतः । पिण्डदोंऽशहरश्र्वेषां पूर्वाभावे परः परः ॥

" सजातीयेष्वयं भोक्तस्तनयेषु मया विधिः। " इति ।

अत्र तत्सम इत्युत्तया औरसपुत्रिकापुत्रसमवाये समविभागः सूचितः।

३० अत एव **मनुः,** (अ. ९। १३४)

'पुत्रिकायां कृतायां तु यदि पुत्रो ऽनुजायते । समस्तत्र विभागः स्यात् ज्येष्ठता नास्ति हि स्त्रियाः '' इति । हिवभः क्षेत्रजः तत्समवाये षष्ठपश्चमान्यतरांशहरः । अन्ये चतुर्थीशहराः । तद्भावे तु पागुक्तरीतिरेव । यद्यपि । ' विभागं चेदित्यादिना'— ( याज्ञ. २ । ११४ )

" विभागभावना ज्ञेया गृहक्षेत्रेश्च यौतकैः। " ( याज्ञ. २। १४९ )

इत्यन्तेन प्रोक्तविभागप्रकरणमध्यस्थत्वेनास्य पिण्डद् इत्यस्यात्रानुपयोगः, पूर्वाध्याये प्रोक्तश्राद्धपकरणेऽपेक्षिताधिकार्यनुक्तेः पासद्भिकत्वे तु चरमोक्तिक्विता, तथास्वारस्याभावश्च, अत एव
विज्ञानेश्वरेण औरस इत्याद्वि " अधुना मुख्यगौणपुत्राणां द्यायहण्य्यवस्थां द्रीयिष्यंस्तेषां स्वस्यं तावदाह " इत्येवमवतार्थं व्याख्याय च " एवं मुख्यामुख्यपुत्राननुक्रम्यैतेषां द्यायग्रहणे क्रममाह"इत्येवमवतारितं "पिण्डद् इतीति" तथापि यस्यांशहरत्वं तस्यैव पिण्डद्त्वमित्यस्य मुख्यामुख्यातिदेशिकपुत्रान्यविष्यत्वं, तादृशपुत्रस्थले तस्य सधनत्वे तथा संभवेऽपि अतथात्वे तस्य पिण्डद्त्वावश्यकत्वात् तादृशस्य तस्य तस्य तद्धर्मत्वान्न तद्दिषयत्वम्, अत एव च—

" अपुत्रोऽनेन विधिना सुतां कुर्वीत पुत्रिकाम् । यद्पत्यं भवेद्स्यां तन्मम स्यात् स्वधाकरम् ॥ "

इति मनूक्तिः (अ. ९। १२७) " यश्चार्थहरः स पिण्डदायी पुत्रः पितृवित्ताभावे १० पिण्डं द्यादिति " विष्णूक्तिश्च सङ्गच्छते — इत्येतदर्थं तथोक्तिः । अत एव—

" क्षेत्रजादीन् सुतानेतानेकादश यथोदितान् । पुत्रमतिनिधीनाहुः क्रियालोपान्मनीषिणः ॥ ग इति मनुः । (अ. ९ । १८० )

अञ पारशवाख्यं शादं गृहीत्वा एकादशत्वम् । इतोऽब्यविहैतं प्राक् पितानां तेषामेव तेनो - कित्वात् । पुत्रिकासुतस्य तु बहुव्यवधानेन पार्थक्येन तेनोक्तवात् ।

अत एव — ( मनु. अ. ९।१६५)

" ओरसक्षेत्रजो पुत्रो पितृरिक्थस्य भागिनौ । दशापरे तु कमशो गोत्ररिक्थांशभागिनः ॥ " इति प्रागुक्ताः । तेपां ततः प्रागुक्तयौरस इत्यादिना द्वादशपुत्रकमानुरोधेनैतावत्पर्यन्तं छक्षणान्युक्तानि । किया पिण्डादिकरणं तल्लोपो व्यतिरेके हेतुः । तल्लोपं वीक्ष्येत्यर्थो वा । अकारप्ररुलेषो वा । प्रतिनिधित्वं चावयवान्वयेन न्यायसिद्धं वाचनिकं यथायथं बोध्यम् । अत एव तेन यथाकम- २० मेव पिण्डदः श्राद्धदः अंशहरः धनहरो वोदितव्य इति व्याख्यातम् ।

" अप्रशस्तास्तु कानीनगृदोत्पन्नसहोढजाः । पौनर्भवश्च नैवैते पिण्डरिक्थांशभागिनः ॥ '' इति विष्णुवाक्येऽप्येवमेव बोध्यम् । मूलवाक्ये चकारेणान्यफलानामपि असाधारणानां संमुचयः । एवमेव द्यामुष्यायणस्य क्षेत्रजस्य भागविशेषप्रतिपादके विभागप्रकरणान्तर्गते—

"अपुत्रेण परक्षेत्रे नियोगोत्पादितः सुतः । उभयोरप्यसौ रिक्थी पिण्डदाता च धर्मतः ॥" २५ इति मूलोक्ते (याज्ञः अ. २।१२७) ततः पूर्वपये तद्यक्तिफलादि बोध्यम् । तत्र तथो-किस्तु पकरणानुरोधात्, नियोगेनोत्पादनात्र तद्धनहारित्वामिति अमनिरासार्थत्वात्, तद्धमेव तत्पवृत्तेश्चोति बोध्यम् । अत एव तद्पि तेन " इत्यामुष्यायणस्य भागविशेषं द्शीयंस्तस्य स्वरूपमाह " इत्येवम-वतार्य्य यथाक्रमं व्याख्यायोभयोरपुत्रत्वे तस्य इत्यामुष्यायणत्वेन पागुकं बोध्यम् । देवरादेः सपुत्रत्वे तु अइत्यामुष्यायणः । स क्षेत्रिण एव पुत्रो भवतीति तस्यैव रिक्थी पिण्डद्श्य न बीजिन इति तदिक्थी एण्डद्श्य न बीजिन इति तदिक्थी पिण्डद्श्य न वीजिन इति तदिक्थी पिण्डद्श्य नियमेन न ।

तदुक्तं मनुना (अ. ९। ५२। ५२)
" किया-युपगमात् क्षेत्रं बीजार्थं यत्प्रदीयते । तस्येह भागिनौ दृष्टौ बीजी क्षेत्रिक एव च ॥
" फलं त्वनभिसंघाय क्षेत्रिणां बीजिनां तथा । प्रत्यक्षं क्षेत्रिणामर्थो बीजाद्योनिबंलीयसी ॥ " इति ।

किश्च । मुख्यामुख्यमात्रपुत्रातिरिक्तस्थलंऽशहरत्वेन पिण्डदृत्वं नियतम्, अत्र तु वैपरीत्यः मिति स्चनार्थमपि तथोक्तिः । ततश्च पुत्रादीनां, यद्धनं स्वामिसम्बन्धादेव निमित्ताद्न्यस्वत्वाकान्तं तद्भूपदाधहरणं, पुत्रत्वादिना अपतिबद्धं भवतीत्ययमप्रतिबन्धो दायः । पितृपितामहादि्धने तेषां तस्वेन लोकप्रसिद्धजन्मतः सिद्धस्वत्वस्याविशिष्टत्वात् । पत्न्यादीनां तु पुत्राद्यभावे स्वाम्यभावे विषम-विभागाभावे दानाभावे च स्वं भवति तत्तत्रद्भूपेणेति तत्तत्सद्भावः प्रतिबन्धक इति सप्रतिबन्धो दायः । एवं च तह्नेषिध्यं सिद्धम् ।

नतु भवतु उक्तरीत्या पुत्रस्य तत्, पौत्रादेस्तत्सत्त्वे किं मानमिति चेत्, शृणु । (याज्ञ. २। श्लो. १२०। १२१)

" अनेकपितृकाणां तु पितृतो भागकल्पना । भूर्य्या पितामहोपात्ता निबन्धो द्रव्यमेव वा ।

१० " तत्र स्थात्सहरां स्वाम्यं पितुः पुत्रस्य चैव हि ॥ "

इति तत्रैव मूलम्,

" पैतृकं तु पिता इत्यमनवातं यदाप्नुयात् । न तत्पुत्रैर्भजेत्सार्द्धमकामः स्वयमर्जितम् ॥ " इति मनुश्चोति । (अ. ९ । २०९)

नम्बेषमपि दितीये किं मानमिति चेत्, शृणु ।

- १५ " जीवतो वाक्यकरणात्प्रत्यच्दं भूरिभोजनात् । गयायां पिण्डदानाच त्रिभिः पुत्रस्य पुत्रता ॥ '' इति देवलः—
  - " पिता माता च सम्प्रीतौ स्यातां पुत्रगुणैर्यादि । स पुत्रः सकलं धर्ममाप्नुयात्तेन कर्मणा ॥ " इति सत्यव्रतश्च ।
- २० " स पुत्रः पितरं यस्तु जीवन्तमनुवर्तयेत् । संस्थितं तर्पयेद्धत्तया श्राद्धेन विविधेन च ॥ " इति । एवमग्रेऽपि क्रमेणोच्यते ।
  - " अपत्यं तु ममैवैकं कुले महित भारत । अपुत्रमेकपुत्रत्वमित्याहुर्धमेवादिनः ॥
  - " विद्युरेकं व पुत्रश्च अस्ति नास्ति च भारत । चहुर्नाहो तनोर्नाहाः पुत्रनाहो कुलक्षयः ॥
  - '' अनित्यतां च मर्त्यानां मत्वा शोचामि पुत्रक । सन्तानस्याविनाशं तु कामये भद्रमस्तु ते ॥ ''

#### १५ इति भारतम्,

- " अनेन तु विधानेन पुरा अके स्वपुत्रिकाम् । विवृद्ध्यर्थं स्ववंशस्य स्वयं दक्षप्रजापितः ॥
- " द्दौ स द्रा धर्माय कर्षपाय त्रयोद्रा । सोमाय राज्ञे सत्कृत्य पीतात्मा सप्तविंशतिम् ॥ "

इति **मनुश्च ।** (अ.९।१२८।१२९) पिण्डोबिनिषये **मूल**न्तूकमेष ।

३० "न ह्यस्मित् युज्यते कर्म किञ्चिद्ामौजिबन्धनात्।" " नाभिन्याहारयेत् बहा स्वधानिनयनादृते॥ " हित । मनुः— (अ. २ श्लो. १७१ । १७२ )

" कृतच्चा कुर्वीत उदकं पिण्डमेष च। स्वधाकारं प्रयुक्तीत मन्त्रीकारं न कारमेत् ॥ ?' इति व्याक्रका ।

" अपुत्रेणेव कर्तव्यः पुत्रमतिनिधिः सदा । पिण्डोदकिकयोहतोर्थस्मात्तस्मात्प्रय <b>न्ततः ॥</b> ''	
इत्यत्रिश्च ।	
एवेन पुत्रवतोऽनधिकारः सूचितः ।	
" अपुत्रेण सुतः कार्यो यादृक् तादृक् प्रयत्नतः । पिण्डोद्किकयाहेतार्नामसङ्कीर्तनाय च " ॥इति	
मनुयमन्यासाश्च ।	ч
" धर्मसङ्कीर्तनस्य चेति '' <b>बृहस्पतौ</b> पाठान्तरं तुर्यचरणे ।	
" त्रयाणामुद्कं कार्यं त्रिषु पिण्डः पवर्तते । चतुर्थः सम्प्रदातैषां पश्चमो नोपपद्यते ॥ "	
इति <b>मनु</b> श्च। (अ.९।१८६)	
" पुत्रः पौत्रः पपौत्रश्च भ्राता वा भ्रातृसन्ततिः । इत्यन्यत्र च । " भ्राता वेत्यत्र तद्ददेति ग	
पाठान्तरम् । इति <b>स्मृतिसंग्र</b> हे च ।	१०
" पुत्रेषु वर्तमानेषु नान्यो वै कारयेत्स्वधाम् " । पुत्रास्ते हिंसितास्तेन यस्त्वेवं इुरुते नरः ॥ "	
" आनुद्ग्ल्याद्दा पुत्रस्य श्राद्धं कुर्यात्सनाभिकः । ''	
इति <b>ऋष्यशृङ्गञ्च ।</b>	
'' उत्तमणीयमर्णेभ्यः पितरं त्रायते सुतः । अतस्तु विपरीतेन <b>नास्ति तेन प्रयोजनम् ॥</b>	
" काङ्कृन्ति पितरः पुत्रान् नरकापातभीरवः। गयां यास्यति यः कश्चित्सोऽस्मान्सन्तारियण्यति॥	१५
" करिष्यति वृषोत्सर्गमिष्टापूर्त तथैव च । पालयिष्यति वार्द्धक्ये श्राद्धं दास्याति चान्वहस् ॥ ''	
इति <b>बृहस्पति</b> श्च ।	
" पुत्रश्चोत्पत्तिमात्रेण संस्कुर्याहणमोचनात् । पितरं नाब्दिकाचौलात्पैतृमेधेन कर्मणा ॥''	
इति <b>सुमन्तु</b> श्च ।	
" नापुत्रस्य लोकोऽस्तीति, जायमानो वे बाह्मणस्त्रिभिर्ऋणवान जायते ब्रह्मचर्येणार्षिभ्यो	२०
यज्ञेन देवेभ्यः प्रजया पितृभ्य एष वा अनृणो यः पुत्री यज्वा ब्रह्मचारी वाऽस्तीति, "	•
" ऋणमस्मिन्सन्नयत्यमृतत्वं च गच्छति । पिता पुत्रस्य जातस्य पश्येचेज्जीवतो मुखम्"॥ इति च-	
श्रुतिश्च । विष्णुवसिष्ठावप्येवम् । विन्द्तीति पाठान्तरं गच्छतीत्यत्र ।	
तज्ञापि विशेषः (अ. ९। १०६। १०७। १०८। १०९।	
" ज्येष्ठेन जातमात्रेण पुत्री भवति मानवः । पित्रूणामनृणश्चेव स तस्मात्सर्वमर्हति ॥	२५
" यस्मिनृणं सन्नयति तेन चानन्त्यमश्नुते । स एव धर्मजः पुत्रः कामजानितरान्विद्धः ॥	
" पितेव पालयेत्पुञान्ज्येष्ठो आतून्यवीयसः। पुत्रवज्ञापि वर्तेरन् ज्येष्ठे आतरि धर्मतः ॥	
" ज्येष्ठः कुलं वर्धयति विनाशयति वा पुनः। ज्येष्ठः पूज्यतमो लोके ज्येष्ठः सद्भिरगहितः॥ " इति,	
" पुत्रेण लोकान् जयित पौत्रेणानन्त्यमरनुते । अथ पुत्रस्य पौत्रेण अध्नस्यामोति विष्टपम् ॥ ''	
इति च मृतुः।	३०
⁽⁽ जानमानेण पनेण पितापमनार्गि गिता ) हत्वाचित्र ।	.*

" अपुत्रस्य गतिनीस्ति स्वर्गे नैव च नैव च। येन केनाप्युपायेन पुत्रं संपाद्येत्वगः" इति गारुडं च। इांखिलिखितपैठीसनयश्च-

" यत्र कचन जातेन पिता पुत्रेण नन्दित । तेन चानृणतां याति पितॄणां पिण्डदेन वै ॥" इति ।

" अग्निहोत्रं त्रयो बेदा यज्ञाश्च सहद्क्षिणाः । श्रेष्टपुत्रेस्य पौत्रस्य कलां नार्हन्ति बोडशीम् ॥ "

" पुत्रपौत्रपतिष्ठस्य बहुपुत्रस्य जीवतः । अस्कन्नवेद्यज्ञस्य हस्तमात्रं त्रिविष्ठपम् ॥ '' इति ।

वसिष्ठः—(अ. १७ सू. २-४) " अनन्ताः पुत्रिणो लोका नापुत्रस्य लोकोऽस्तीति श्रूयते। अप्रजाः सन्तु पुत्रिण इत्यभिगायः । प्रजाभिरत्रे अमृतत्वं पश्यामी त्यपि निगमो भवतीति । ''

ननु पुत्रजननमात्रेण पितुर्नानुण्यं किं तु सम्यगनुशिष्टेन पुत्रेण शास्त्रीयेषु कर्मस्वनुष्ठितेषु पश्चादानृण्यम् । अत एव वाजसनेयेऽपि ब्राह्मणे पुत्रानुशासनिविधिः समाम्रातः, '' तस्मात्पुत्र* १० मनुशिष्टं लोक्यमाहुस्तस्मादेनमनुशासित यद्यनेन किञ्चिद्श्णया कृतं भवति तस्मादेनं सर्वस्मात्पुत्रो मुञ्जिति तस्मात्पुत्रो नाम पुत्रेणेवास्मिन् लोके प्रतितिष्ठति" इति ।

अयमर्थः । अस्ति किञ्चित्सम्प्रतिपत्तिनामकं कर्म । यदा पितुर्मरणावसरो भवति तदा पुञ-माह्न्य वेदाध्ययने यज्ञे लौकिकव्यापारे च यद्यत्कर्तव्यजातं तस्य सर्वस्य पुत्रे सम्प्रदानं कर्त्तव्यम् । सेयं सम्प्रतिपत्तिः, तस्यां च सम्प्रतिपत्तौ यस्मादनुशिष्टः पुत्रोऽधिकारी तस्मादनुशिष्टं पुत्रं परलोक-१५ हितमाहुः । अत एव पुत्रानुशासनं दुर्युः पितरः । स चानुशिष्टः पुत्रः स्विपत्रा शास्त्रीयं कर्म अक्ष्णया वकत्वेन शास्त्रवैपरीत्येन कृतं भवति एतस्मात्सर्वस्मात्पापात् इमं पितरं स्वयं कर्म सम्यगनु-तिष्ठन्मोचयति तस्मात्पुत्राम्नो नरकात् त्रायत इति व्युत्पत्त्या पुत्रो नाम ।

अत एव **मनुविष्णू---**( मनु. ९ । १३८ )

'' पुनाम्नो नरकायस्मात् त्रायते पितरं सुतः । तस्मात्पुत्र इति प्रोक्तः स्वयमेव स्वयम्भुवा '' इति । हारीतः—

'' पुन्नामा निरयः प्रोक्तच्छिन्नतन्तोश्च तत्र वै । पितरं त्रायते यस्मात्तस्मात्पुत्र इति स्मृतः॥

" यस्य पुत्रः श्चिर्दिक्षः पूर्वे वयसि धार्मिकः । नियन्ता चात्मदोषाणां सन्तारयति पूर्वजान् '' इति । बृहस्पतिश्च —

" पुनाम्नो नरकात्पुत्रः पितरं त्रायते यतः । मुखसन्दर्शनेनापि तदुत्पत्तौ यतेत सः ॥

२५ '' पौत्रोऽथ पुत्रिकापुत्रः स्वर्गमाप्तिकरातुभौ । रिक्थे पिण्डाम्बुदाने च सुतौ सुपरिकल्पितौ '' इति ।

स च पिता स्वयं मृतः पुत्रशरीरेणैवास्मिन् लौके यथाशास्त्रं कर्म कुर्वन्यतितिष्ठतीति । एवं सित बहुनां मध्ये वथावदनुशासनं प्रज्ञामान्यादिप्रतिबन्धबाहुल्यात्कस्यचिदेव सम्पद्यते । अनुशिष्टे ष्वपि बहुषु यथावदनुष्ठानं कस्यचिदेव । अतो ज्येष्ठः कनिष्ठो वा यस्ताहृशः स एवानृण्यहेतुरिति कथं तथा प्रागुक्तमिति चेत्, न ।

अनुशासनस्य संप्रतिपत्तिद्वारा विलक्षणिपृतृकृतपापिनवारणद्वाराऽपातिबद्धाविलक्षणपरलोकपाप्ति-फलकत्वस्योक्तरीत्या प्रतीयमानत्वेनानृण्योहतुत्वात् । अत एव लोक्यमित्याद्यक्षरस्वारस्यम् । अत एव च प्राग्तकश्रुतिस्मृत्यादिसङ्गतिः । अन्यथा तद्विरोधो दुष्परिहर एव । अत एव च ज्येष्ठो न देय-स्तस्यैव पुत्रकार्यकरणे मुख्यत्वादिति सफलं विज्ञानेश्वरादिभिषक्तम् । एवं च पुत्रादेस्तत्त्वं सिद्धम् ।

१ फ-श्रेष्ठपुत्रमस्ततस्य ।

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तत्रापि विशेषः, सन्तिहितत्वेऽपि पुत्रादीनां पतितत्वादि दोषे क्वापि नाधिकारः ।

" पतितो नाग्निसंस्कारं न कियां न च तर्पणम् । कुर्यादुन्मत्त एवापि नान्यथेत्यव्रवीद्यमः॥ "

इति स्मृतेः । तथा च अस्वस्थोन्मत्तनास्तिकादिपुत्रसत्त्वे पौत्रादीनां पुत्रप्रतिनिधित्वेनाधिकारः । एवं---

ं पितृहिट् पतितः षण्ढो यश्च स्यादौपपातिकः । औरसा अपि नैतेंऽशं लभेरन् क्षेत्रजाः कृतः॥ '' ५ । इति नारदोक्तः— (अ. १३। २१ क्लो.)

द्ायग्रहणेऽपि तथा बोध्यम् । वक्ष्यते चेद्मनुपद्मेव मूलकृता । तद्भावे विभक्ते ऽसंसृष्टिनि पत्यौ स्वर्याते ताहृशपरिणीता संयता पत्नी सकलमेव धनं प्रथमं गृह्णाति, तद्भावे ताहृशी दुहिते-त्यादि दायहरणमात्रे इमं कमं मूलकृदुक्तवान्—

पत्नी दुहितरश्चेव पितरो भ्रातरस्तथा । तत्सुता गोत्रजा बन्धुशिष्यसब्रह्मचारिणः ॥

" एषामभावे पूर्वस्य धनभागुत्तरोत्तरः । स्वर्यातस्य ह्यपुत्रस्य सर्ववर्णेष्वयं विधिः॥ [,] इति ।

अत्र पत्नीत्यनेन तादृशपरिणीतालाभः । 'पत्युनं ' इत्यनुशासनात् ।

" अपुत्रा शयनं भर्तुः पालयन्ती वते स्थिता । पत्ये द्दाच सा पिण्डं कृत्स्नमंशं लभेत च ॥ '' इति वृद्धमनोः,

" पत्नी भर्तुर्धनहरी या स्याद्व्यभिचारिणी । तद्भावे तु दुहिता यद्यनूढा भवेत्तद् " इति-

" अपुत्रस्याथ कुलजा पत्नी दुहितरोऽपि च।"

इति च कात्यायनाञ्च संयतत्वस्य साकल्यस्य च लाभः । आधे चशब्द्द्यं मिथः समु-इये । तेनांशहरत्वे तदावश्यकत्वं सूचितम् । एवं तद्भावेऽप्यन्याभावेऽपि तस्यास्तदावश्यकत्वम्, अन्येन तद्धरणे तस्येव तदावश्यकत्वं न तस्या इति सूचितम् । धनहरीति तु पचाधचिष्टित्वेन बोध्यम् । विभागकथनानन्तरमस्योक्तत्वाद्दिभक्तत्वस्य लाभः । पत्नीत्याद्यपवादस्य संसृष्टिनस्तु संसृ- २० धीत्यस्य वक्ष्यमाणत्वाद्संसृष्टित्वलाभः । यद्यपि—

" विभक्ते संस्थिते द्रव्यं पुत्राभावे पिता हरेत्। भ्राता वा जननी वाऽथ माता वा तत्पितुः क्रमा**त्**॥"

इति कात्यायनस्मृतौ कमादित्युक्तं, तथा--

" स्वर्यातस्य ह्मपुत्रस्य भ्रातृगामि द्रव्यं तद्भावे पितरौ हरेयातां ज्येष्ठा वा पत्नी "

इति शक्क्षस्मृतौ तद्भावे इत्युक्तम्, एवमन्यन्नापि, तच पागुक्तमेव, तथापि न तानि २५ कमबोधकानि । विकल्पस्य स्मरणात्, मिथो विरोधात् ।

" पिता हरेद्पुत्रस्य रिक्यं भ्रातर एव वा । " इति---

"अनपत्यस्य पुत्रस्य माता दायमवाप्नुयात् । मातर्यपि च वृत्तायां पितुर्माता हरेद्धनम् ॥"

इति च मनुविरोधात्। (अ. ९।१८५।२१७)

" भ्रातृणामप्रजाः प्रेयात्कश्चिचेत्प्रवजेत वा । विभजेरन् धनं तस्य शेषास्तु स्त्रीधनं विना ॥

" मरणं चास्य कुर्वीरन् स्त्रीणामाजीवनक्षयात् । रक्षन्ति शय्यां भर्तुश्चेदाच्छिन्युरितासु च ॥ "

इति नारद्विरोधाच । (अ. १३। रलो. २५।२६) एतेन---

" पुत्रः पौत्रः पपौत्रो वा आता वा आतृसन्ततिः । "

१ याज्ञ. स. २ श्लो. १४० पृ. ६९

इति दायग्रहणक्रमबोधकिमित्यप्यपास्तम् । तस्य श्राद्धमकरणस्थत्वाच । एवं च विकल्प-यितवाहयानां न क्रमबोधकत्वमिति सिद्धम् । स्पष्टश्र्वायमर्थः पूर्वमीमांसायां, " तुल्यार्थासु विकल्परन् " इत्यधिकरणे (जै. सू.) । एवं च तेषामधिकारप्रदर्शनमात्रपरत्वम् । तथा साति दाङ्खवाक्यं नारद्वाक्यं च संसृष्टिविषयकम् । " संसृष्टानां तु यो भागस्तेषामेव स इष्यते । " इति संसृष्टिनां प्रस्तुतत्वात् । तथा च तत्स्त्रीणामनपत्यानां भरणमात्रप्रतिपादनपरं तदिति तस्तम् ।

न च भ्रातॄणामप्रजाः प्रेयादित्यस्य संसृष्टिविषयत्वे संसृष्टानां तु यो भाग इत्यनेन पौनस्कत्य
मिति वाच्यम् । पूर्वोक्तविवरणेन स्त्रीधनस्याविभाज्यत्वस्य तत्स्त्रीणां भरणमात्रस्य च विधाने तत्ता
त्यर्थात् । मनुवाक्यं कात्यायनवाक्यं च पत्त्यादिगणासत्त्वविषयतयाऽपि सुयोजमिति न कश्चि
होषलेशः । तत्र शङ्खविषये तद्भावे इत्यस्य मध्यमणिन्यायेनान्वयः । तत्राचे तस्य पौत्राद्यभावे
१० इत्यर्थः । द्वितीये संसृष्टिनो भ्रातुरभावे इत्यर्थः । तस्य तत्त्वाभावे इति यावत् । पत्न्याद्यसत्त्वे इति

शेषः । यद्दोक्तरीत्योत्तरान्वय्येव तत् । 'एवं पिता हरेद्युत्रस्येति ' मनुवाक्यं 'विभक्ते

संस्थिते ' इति कात्यायनवाक्यांशभूतं च संसृष्टिविषयमेव । तद्कवाक्यतानुरोधात् । संसृष्टतं
च यतो न येन केन चित्सह, अपि तु पिता भ्राता पितृव्येण वा ।

" विभक्तो यः पुनः पित्रा भ्रात्रा वैकत्र संस्थितः । पितृत्येणाथवा प्रीत्या स तत्संसूष्ट उच्यते ॥"
 १५ इति बृहस्पतेः ।

अनपत्यस्य पुत्रस्येति मनुवाक्यांशस्तु पत्नीदुहिनृद्गिहित्राद्यभावपरः । उक्तहेतोः । अत एव मातर्यपि च वृत्तायामिति अपिचेत्येतद्वलात्पित्रादिमानृसुतान्तानामप्यभावपरम् । अत एव कातीये तिप्तुरिति पूर्वान्वयि । तिप्तुर्माता वा, पितामहीत्यर्थः । अन्यथा पौनकत्त्यादिति स्पष्टमेव । तत्र कमादित्यस्य तु पौत्रादिकममवीक्ष्येत्यर्थः । ल्यब्लोपे पश्चमी । यद्वा । कमं वंशपरम्पराम् । २० अत्ति भक्षयतीति कमात् सा । यद्वा । कमं घनसम्बन्धकमम् अतिति गच्छतीति कमात् । सर्वविशेषणमिद्म् । एवमन्यत्रापि यथासंभवं योजना प्राक् प्रतिपादितेव । विकल्पादिरिहतबहुविषय-संग्राहकैषामभाव इत्यर्द्वघटितेकमुलानुरोधेनान्येषामतादृशानामेव वाक्यानाम्, अन्यथा योजनमु-चितं, लाघवात् । अन्यथा गौरवं स्पष्टमेव । अत्र सर्वत्र मृतिनक्षितप्रत्यासात्तरेव तद्गहणे हेतुत्वेन विवक्षिता । अत एव----

२५ " अनन्तरः सपिण्डाबस्तस्य तस्य धनं भवेत् । " इति मनुः,

" बहवो ज्ञातयो यत्र सकुल्या बान्धवास्तथा । यस्त्वासन्नतरस्तेषां सोऽनपत्यधनं हरेत् ॥"

## इति बृहस्पतिः।

" पुत्राभावे प्रत्यासनः सपिण्ड " इति आपस्तम्बश्च सङ्गच्छते । सा च प्रत्यासत्तिः शास्त्रतो लोकतश्च यथायथमवयवान्वयादिद्वारेण बोध्या । तथैव च पत्नीत्यादिना पद्रितं तेन । ३० अत एव मुत्रिकासुत इत्यत्र—

"अम्रातृकां प्रदास्यामि तुभ्यं कन्यामलंकृताम् । अस्यां यो जायते पुत्रः स मे पुत्रो भवेदिःति ॥" इति वसिष्ठोक्तया, (अ. १७ सू. १७) ('अपुत्रोऽनेन विधिना सुतां कुर्वीत पुत्रिकाम् । यद्पत्यं भवेद्स्यां तन्मम स्यात्स्वधाकरम् ॥ "

इति मन् क्या च ( अ. ९।१२७ ) संविदा दत्ता कन्या पुत्रिका, तत्पुत्रत्वादेवौरस-समत्विमित्येकां व्याख्यां कृत्वा, पुत्रिकेव ताहशी सुतः स औरससम एव, पित्रवयवानामत्यत्वानमात्र-वयवानां बाहुल्याच, अत एव विसिष्ठः '' तृतीयः पुत्रिकेवित '' इति व्याख्यान्तरं कृतं तेन । पत्नीत्यादिवाक्ये एवकारस्य सर्वत्र संन्वधः । तेन अन्यव्यवच्छेदः । समवाये तत्फिलितार्थं एव व्याख्यायां प्रथममिति । प्रत्यामत्त्यतिशयादिति तद्भावः । तद्भावे दुहिता ।

" वथैवात्मा तथा पुत्रः पुत्रेण दुहिता समा । तस्यामात्मिन तिष्ठन्त्यां कथमन्यो धनं हरेत्" ॥

इति मनुः। ( अ. ९।१३० )

" भर्त्तुर्धनहरी पत्नि तां विना दुहिता स्मृता । अङ्गादङ्गात्संभवति पुत्रवद् दुहिता न्वृणास् ॥ " तस्मात्पितृषनं त्वन्यः कथं गृह्णाति मानवः। ''

इति बृहस्पतिः।

" पुत्राभावे तु दुहिता तुल्यसंतानदर्शनात् । पुत्रश्च दुहिता चोभौ पितुः सन्तानकारकौ ॥ " इति नारदश्च । (अ. १३। ५०)

तत्र चोढानूढासमवायेऽनूढेव । प्रागुक्तकात्यायनोकेः । एवम्ढासु प्रतिष्ठिताऽप्रतिष्ठिता-समवायेऽप्रतिष्ठितेव । तद्भावे प्रतिष्ठिता । "श्रीघनं दुहितॄणामप्रचानाम् अप्रतिष्ठितानां चेति " १५ गौतमवचनस्य (अ.१७सू.२२) पितृधनेऽपि तुल्यत्वात् । नेदं पुत्रिकाविषयम् । तत्समः पुत्रिकासुत इत्यस्य पुत्रप्रकरणे उक्तत्वात् ।

चेन दौहित्रसमुचयः । अत एव-

" अपुत्रपौत्रसन्ताने दौहित्रा धनमाप्रुयुः । पूर्वेषां तु स्वधाकारे पौत्रा दौहित्रका मताः ॥''

इति विष्णुः

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'' अकृता वा कृता वा ऽपि यं विन्देत्सहशात्सुतम्।पौत्री मातामहस्तेन द्यात्पढं हरेद्धनम्''॥१३६॥ इति-'' दौहित्रो ह्यात्वलं रिक्थमपुत्रस्य पितुर्हरेत् । स एव द्यात् दौ पिण्डौ पित्र मातामहाय च ''॥१३२॥ '' पौत्रदौहित्रयोलोंके न विशेषोऽस्ति धर्मतः । तयोहिं मातापितरौ संभूतौ तस्य देहतः॥१३२॥ '' '' पौत्रदौहित्रयोलोंके विशेषो नोपपयते । दौहित्रौऽपि ह्यमुत्रैनं सन्तारयति पौत्रवत् ॥१३९॥ ''

इति च **मनु**श्च ( अ. ९ ) सङ्गच्छते ।

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अञ्च चेन दौहिञवत्तद्भावे दौहिज्या अपि समुखय इति प्राक् प्रतिपादितमञापि बोध्यम् । तद्भावे पितरौ । तञ्च प्रथमं माता ततः पितेति व्याख्याकृत् । आदौ पिता ततो मातेति तत्त्वं तु प्रागुक्तमेव ।

ततो भातरः । तथेत्यस्यार्थः उक्त एव । आवृत्त्या दितीयस्य तथेत्यस्य पत्यासिकिमेणे-त्यर्थः । तेन सोद्रासोद्रसमवाये पथमं सोद्रास्तभावेऽसोद्रा इति स्चितम् । अत्र भातर इत्यनेन ३० तथैकशेषेण भगिनीनामपि ग्रहणम् । तत्रापि कमो भातृवदिति पागुक्तमेवति बोध्यम् ।

तथेत्यस्य पितृकमेणेत्यर्थकस्य तत्सुता इत्यत्रापि मध्यमणिन्यायेनान्वयः । तत्सुता इत्यस्य तयोर्भातृभगिन्योः सुता इत्यत्र माग्वत् कन्यानामपि महणं नोध्यम् । तत्रोक्तं प्राक् ।

गौत्रजपदेन पितामही, समानगोत्रजाः पितामहस्तुषाद्यः सप्त सपिण्डाः, सामानोदकाश्च सप्त तदुपरितनाः, जम्मनामज्ञानावधिकावा । बध्धशब्देन भिन्नगोत्रं बन्धुत्रयम् आचार्यश्च । चार्थकतथाशब्दस्य चरमे उत्कर्षात्मत्रह्म-चारिणश्चेत्यर्थः । तेन बन्धुशिष्यमध्यवर्त्याचार्यस्य सब्रह्मचार्यनन्तरस्य ऋत्विक्शोत्रियादेश्च समुचय इति केचित् । तत्वं तु प्रागुक्तम् । "प्रागुक्तसपिण्डाभावे आचार्यस्तद्भावे अन्तेवासी" त्यापस्तम्बः । (२।१४।३) "अन्तेवासी ऋत्विग्वेति" दाङ्कः । "श्रोत्रिया ब्राह्मणस्यानपत्यस्य रिक्यं भजेरन् " इति प गौतमः । (अ. २८ सू. ३९)

> " सर्वेषामप्यभावे तु ब्राह्मणा रिक्थभागिनः । '' इति मनुः । ( अ. ९ श्लो. १८८) "ब्राह्मणार्थस्य तन्नाहो '' इति नार्क्श्चेति ।

पत्नीत्यादि न पिण्डदानकमबोधकं, तस्यात्रानुक्तत्वात् । अत एव पिण्डदोंऽशहरश्चेषा-मित्यस्यानुवृत्तिसंभवेऽप्येषामभावे इत्यायुक्तं तेन भगवता । अत एव च----

१० " मुख्यगौणसुताभावे दायाद्कम उच्यते । '' इत्येवमवतारितमिदं तेन । दायाद्शब्देन च रिक्थभागिनः ब्युत्पत्तेः ।

"विश्वामित्रं तु दायादं गाधिः कुशिकनन्दनः । जनयामास पुत्रं तु तपोविद्याशमात्मकम् ॥ '' इति हिरिवंशोकेः पुत्रे इव दायादानिप दापयेदित्यादौ पुत्रभिकेऽपि तत्र तस्य गिसिद्धत्वात् । अत एव—

- १५ "पुत्रान् द्वाद्शधानाह नृणां स्वायंभुवो मनुः । तेषां षट् बन्धुदायादाः षडदायाद्वान्धवाः ॥ " औरसः क्षेत्रजश्चैन दत्तः कृत्रिम एव च । गूढोत्पन्नोऽपविद्धश्च दायादा बान्धवाश्च षट् ॥ " कानीनश्च सहोढश्च क्रीतः पौनर्भवस्तथा । स्वयंद्त्तश्च शौदश्च षडदायाद्वान्धवाः ॥ '' इति मनुवाक्ये—( अ. ९ श्लो. १५८–१६० )
- स्विपितृसिपिण्डसमानोद्कानां संनिहितरिक्थहरान्तराभावे पूर्वषट्कस्य तद्विकथहरत्वं नोत्त-२० रस्य, बान्धवत्वं तु समानगोत्रत्वेन सिपिण्डत्वेन चोद्कप्रदानादिकार्यकरत्वं वर्गदयस्यापि सममेव, गोत्रिक्थे इति मनुवाक्ये द्त्रिमग्रहणस्य "पुत्रप्रतिनिधिप्रदर्शनार्थत्वात् " इत्येवमुक्तमूलाविरोधाय तेन व्याख्यातम् । पित्राद्धिने तु सर्वेषामिवशेषश्चरमभिन्नानां पुत्रिकासुतघटितानां तेषाम्, अस्मात् प्रामुक्तमनोश्च । अत एव तयोमिंथो विरोधोऽपि न । अग्रे साधकानि तु पूर्वमुक्तान्येव । तस्मात् स्थितमेतत् तद्भावे यथाक्रमं पत्न्याद्यो धनभाज इति ।
- २५ नन्त्रस्तु दायहरणे पागुक्तम् । तथापि अन्येषां पुत्रासाधारणकार्याणां केषांचिद्यथायथं पत्न्यादिष्व-सम्भवेन तत्र विचारप्रसक्त्यभावेऽपि तद्भावे पिण्डदानादौ कथं कम इति चेत्, शृणु । प्रागुक्तरीत्या दायहरणे सिद्धेन कमेणेव "यश्चार्थहरः स पिण्डदायी " इति विष्णूक्तेः पिण्डदानादौ कम इत्युत्सर्गः । तत्र पत्नीविषये वाक्यमपि प्रागेव वृद्धमन् कमुक्तम् । तत्र कृत्सनमंशामित्यादिना दायहरत्वे एव तस्या अधिकारः सूचितस्तस्य सधनत्वे । एतद्रथमेव तत्र तदुपादानम् । अन्यथाऽपि ३० सैवाधिकारिणी । अत एव—
  - "भार्यापिण्डं पतिर्देशान्त्रज्ञें भार्या तथैव च। श्वश्र्वादेस्तु स्तुषा चैव तद्भावे तु सोद्रः ''॥ इति "पितुः पुत्रेण कर्तव्याः पिण्डदानोद्किकयाः । पुत्राभावे तु पत्नी स्यात्पत्न्यभावे तु सोद्रः॥ '' इति च शक्कः ।
  - "पत्नी कुर्यात्सुताभावे तद्भावे सहोदरः।" इति कौर्मम्,
- ३५ " आतुर्आता स्वयं चके तजार्था चेभ विद्यते । तस्य आतृसुतश्चके यस्य नास्ति सहोदरः ॥"

इति **ब्राह्मं** च सङ्गच्छते । दुहितुस्तु तद्धनहर्तृत्वादेव पिण्डादिद्त्वम् । एवं च तद्भावे न तस्यास्तत्यद्त्वम् । दौहित्रविषये वाक्यमपि **मन्वा**युक्तं प्रागेवोक्तम् । तत्र 'हरेद्धनिम' त्यादिना तस्यापि द्रायहरत्वे एवाधिकारः सूचितः । अत एव—

"श्राद्धं मातामहानां च हावश्यं धनहारिणा । दौहित्रेण विधिन्नेन कर्तव्यं विधिवत्सदा ॥ " इति छोगाक्षिः सङ्गच्छते । अत एव "मातामहश्राद्धं मासिश्राद्धे सूत्रभाष्यकारौ न बूत " प्रइति सुदर्शनेनोक्तम् । अत एव च आश्वछायनेनापि सूत्रे मातामहश्राद्धं नोक्तम् । एवं च— "यथा वतस्थोऽपि सुतः पितुः कुर्यात् कियां नृप । उदकाद्यां महाबाहो दौहित्रोऽपि तथाऽहीति॥ " इति मात्स्यं भविष्यत्पुराणं च,

"मातामहानामप्येवं श्राद्धं कुर्याद्धिचक्षणः । मन्त्रोहेन यथान्यायं शेषमूहविवर्जितम् ॥ " इति विष्णुस्मरणम्,

" मातुः पितरमारभ्य त्रयो मातामहाः स्मृताः । तेषां तु पितृवत् श्राद्धं कुर्युर्दुहितृसूनवः ॥ ''

इति पुल्लस्त्यस्मरणं च एकवाक्यतानुरोधेन तत्परतया योज्यम् । पितृवच्छ्राद्धं पार्वणम् । येषां सूत्रे तदुकं तेषां तु सर्वथा तदावश्यकम् । यद्दा तानि पुत्रिकासुतविषयाणि । इद्मंत्रे स्फुटी-भविष्यति । दोहित्र्या अप्येवम् । " न पुत्रस्य पिता चैव नानुजस्य तथाऽग्रजः । "

इति **बौधायना** युक्तरेतद्भावं द्यारहरत्वेऽपि पित्रोर्न पिण्डदानादावधिकारः । **प्रातृतत्पुत्र- १५** योस्तु यथाक्रमं वचनमप्यनुपद्मेवोक्तम् । अत एव सर्वथाऽपि तयोरनुक्रममधिकारः । 'तस्य प्रातृ- सुतश्चक्रे' इत्यादि प्रागुक्तमप्येवंपरमेव । मूलानुरोधात् । तत्र प्राता कनिष्ठ एव न ज्येष्ठः । अंशहर- त्वेऽपि उक्तनिषेधादिति बोध्यम् ।

ननु पिण्डदानादावप्येवं क्रमे स्वीक्रियमाणे---

" आतूणामेकजातानामेकश्चेत्पुत्रवान् भवेत् । सर्वास्तांस्तेन पुत्रेण पुत्रिणो मनुरत्रवीत् ॥ " बहूनामेकपत्नीनामेका चेत्पुत्रिणी भवेत् । सर्वास्तास्तेन पुत्रेण पाह पुत्रवतीर्मेनुः ॥"

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इति मनोः, (अ.९।१८२।१८३)

" यद्येकजाता बहवो आतरस्तु सहोद्राः । एकस्यापि सुते जाते सर्वे ते पुत्रिणः समृताः "

" बह्वीनामेकपत्नीनामेष एव विधिः स्मृतः । एका चेत्पुत्रिणी तासां सर्वासां पिण्डद्स्तु सः ॥ ''

इति बृहस्पतेश्च का गितः। अयं मनुस्मृत्यादौ पाठः। मह्वातिके कौस्तुभे च २५ 'सर्वे तेनैवेति ' पाठः। अन्यत्र 'सर्वे ते तेनेति ' पाठः। मेघातिथिसंमतस्त्वाद्यपाठः। 'यद्येक 'इति कौस्तुभे पाठः। 'सर्वासामिति 'मनुस्नृत्यादौ पाठः। 'पुत्रिण्यो मनुस्त्रवी-दिति 'कौस्तुभादौ पाठः। एतेषां यथाश्रुतार्थत्वे त्रयोद्शपुत्रत्वापत्त्या पुत्रान् द्वाद्श यानाहेति मन्वाद्युक्तदाद्शसंख्याविरोधापत्तिः।अपुत्रद्वायाधिकारिक्रमबोधकोक्तम्कुत्वाक्ये आतृसुत्तानां नवमस्थान-स्थितिविरोधापत्तिः। पिण्डाद्यधिकारकमबोधकवाक्येऽपि पत्नी आता च तज्जश्चेत्यादौ तृतीयस्थान- ३० स्थितिविरोधापत्तिश्च । तेषां तद्वत्युत्रत्वे पत्त्याः पूर्वमेव निवेशौचित्यादिति चेन । तेषां किञ्चित्का-र्यंवत्त्वातिदेशपरत्वेन तेन तेषां वंशाविच्छितेः परलोकस्य पितृक्षणदोषापाकरणस्य च करणेन तद्रर्थे

सर्वपुत्राभावे पत्न्यादिसत्त्वे दत्तकपरिग्रहो नेति तात्पर्यात् । अत एवैकजातानामिति हेतुगर्भे विशेषः णमप्यर्थवत् । तत्र च पुमान् श्रियेत्येकशेषः । सहोद्रा इति बृहस्पत्येकवाक्यत्वात् । अत ' एवैः कमातापितृकाणामिति ' व्याख्यातं मेधातिथिना । अनेन तेषामेव तथा नियमो न भिन्नपितृः काणां भिन्नमातृकाणां चेति सूचितम् । अत एवााभियुक्ताः '' अञ्चकजातग्रहणं भिन्नोद्राणामेक-पितृकाणामि सपिण्डान्तरलाभद्शायां भ्रातृसुतनियमो नेति ज्ञापनार्थे न तु भ्रातृसुतस्यागाह्यतः ज्ञापनार्थम् ।

" ब्राह्मणादित्रये नास्ति भागिनेयः सुतः कचित् । "

इति वृद्धगौतमवद्त्र निषेधस्मृतेरनुपलम्भात् । पुत्रवानिति मतुपा न त्वेवैकमिति निषेधस्या-प्यत्रानवकाशः '' इति । अत एव च सपत्नीविषये वचनान्तरारम्भः । भ्रातॄणामिति निर्धारणे षष्ठी । १० अत एव मध्ये इति तेन व्याख्यातम् । तेन होकीयावयवान्वयेनैकमातापितृकत्वेनेकत्वं यथा तेषां तथेकावयवान्वयेन सर्वावयवान्वयसत्त्वेनैकपुत्रत्वं सर्वेषामिति सूचितं द्रौपदीवत् द्वचामुष्यायणवच्च । अत एव तेनैकपुत्रेण सर्वान्यातृन् सपुत्रान्मनुराहोति तेन व्याख्यातम् । एतेन प्रागुक्तं पाठान्तरं निरस्तम् । अत एव च सर्वे ते इत्युक्तिसङ्गतिः । अन्यथाऽन्ये ते इत्यादि त्रूयात् । भ्रातृपदं स्फुटतया भगिनीनिरासम्चनद्वारा विषयपदर्शनार्थम् । यद्यपि भ्रातृपुत्रावित्येकशेषस्थापि संभव-१५ स्तथापि— '' ब्राह्मणादित्रये नास्ति भागिनेयः सुतः क्षचित् । "

इति वृद्धगौतमोक्तेनेति पुमपत्यानामेव अहणम् । एकः एकोऽपि । एकस्यापि सुंते जाते इति तदेकवाक्यत्वात् । अनेन द्वयादेस्तत्त्वे सुतरां तथेति सूचितम् । पुत्रवानित्यत्र पुत्रपद्मौरस-परम् । तत्रैव तस्य मुख्यत्वात् । जाते इति तदेकवाक्यत्वाच । अनेनान्यत्रायं नियमो नेति सूचि-चितम् । अत्र पुत्रत्वेनैकानेकपुत्रपतीत्या सर्वविषयमिद्म् । अग्रे तेनेत्याद्युक्तिस्तु एकत्र तथात्वेऽने-२० कत्र तथात्वं निर्विवाद्मित्येवंपरा । चेदित्यनेन जनकस्यैवातत्त्वे सर्वेषां तत्त्वं दूरापास्तमिति सूचि-तम् । अत एव भवेदिति संभावने लिङ् । अत्र सर्वे वाक्यमिति न्यायेनैकस्यैव द्वयोरेव त्रयाणामेव वेत्यादिक्रमेण बोध्यम् । अत एवान्ये च पुत्ररहिता इति तेन व्याख्यातम् ।

किं च भ्रात्रृणामित्येन न तत्र पुत्रत्वातिदेशः । तथा हि सित पुत्रिण इति पुत्रवतीरिति च पद्द्यमधिकं स्यात् । तेन पुत्रेणेत्येकेनैव पुत्रत्वातिदेशसिद्धेः । पत्रित्वातिदेशस्तेनेति चेत्, लाधवा-२५ त्तदेशस्तु, कृतं पुत्रत्वातिदेशेन । सोऽपि परिशेषात्कार्यातिदेशः । 'पुत्रिणः पुत्रवतीरिति ' श्रवणात् तत्र तद्धमीतिदेशः । तत्फलं तूकं वक्ष्यमाणं चेति दिक् ।

उक्तं चैतत्समृतिपादे शिष्टाचारपामाण्यपतिपाद्के " अपि वा कारणाग्रहणे प्रयुक्तानि पती-येरन् " (जै. मी. १।२।७) इति सूत्रे भद्वाचार्येः, " रामभीष्मयोस्तु स्नेहपितुभक्तिवशादिद्यमान-धर्ममात्रार्थदारयोरेव साक्षाब्यवहितापत्यकृतिपत्रानृण्ययोर्गगसिद्धिः । हिरण्मयीसीताकरणं च लोकाप-३० वादभीत्या त्यक्तसीतागतानृशंस्याभावाशङ्कानिवृत्त्यर्थम् । भीष्मश्च—

" प्रातृणामेकजातानामेकश्चेत्पुत्रवान्भवेत् । सर्वे तेनैव पुत्रेण पुत्रिणो मनुरव्यवीत् ॥ ?? इत्येवं विचित्रविधिन्नजपुत्रलब्धपित्रनृणत्वः । केवलं यज्ञार्थपत्नीसंबन्ध आसीदित्यर्थापत्त्या-उनुक्तमपि गम्यते । "यो वा पिण्डं पितृपाणौ विज्ञातेऽपि न दत्तवान् । शास्त्रार्थातिकमाद्भीतो यजेतैकाक्यसौ कथम् ॥" इति । व्याख्यातं च न्यायसुधायां भट्टसोमेश्वरशर्मिभः,—" रामभीष्मयोर्थथा न विरुद्धाचरण- कर्तृत्वं तथा विवृणोति रामेति । रतिपुत्रार्थत्वनिरासाय मान्नशब्दः । नन्वेवं सति—

''ऋतुस्नातां तु यो भार्यो संनिधो नोपगच्छति। तस्या रजिस तं मासं पितरस्तस्य शेरते॥ "

इति विहितातिकमात्प्रत्यवायः स्यादित्याशङ्कन्य स्नेहिपितृभक्तिवशादित्युक्तम् । रामेण सीतास्नेहाद्भार्यान्तरागमनव्रतग्रहणात्, भीष्मेण च शन्तनवे सत्यवती तत्पितरं याचिता त्विय महाबले

राज्याभिलाषुके तिष्ठति एतस्याः पुत्राणां राज्यालाभान्नेमां ददामीति तत्पित्रा प्रत्याख्याते तेन राज्यं
नाहं करिष्यामीति प्रतिज्ञाते त्वय्यनिच्छत्यपि त्वत्सन्तितभयान्नैतस्याः संतती राज्यभागिनी स्यादिति

तत्पित्रा पुनः प्रत्याख्याते—

" नापत्यहेतोरिप च करिष्ये तिद्विनिश्चयम् । अद्यप्रभृति मे दाश ब्रह्मचर्ये भविष्यति ॥ " १०

इति पितृभक्त्या ब्रह्मचर्यवतप्रहणात्, नैमित्तिकेन च व्रतेन नित्यस्य ऋतुकालगमनस्य बाधात् धर्ममात्रार्थमहं भार्यो पिरणेष्यामीति उक्त्या परिणीताया अगमनेऽप्यदोष इत्याशयः। एवमप्यनपत्य-त्वेन पित्रणीनपाकरणात्प्रत्यवायः स्यादित्याशङ्कच साक्षादित्युक्तम् । साक्षाद्पत्याभ्यां कुशलवाभ्यां कृतिपत्रानृण्यो रामः, व्यवहितैविंचित्रवीर्यस्यापत्येर्धृतराष्ट्रादिभिः कृतिपत्रानृण्यो भीष्मः। ननु रामस्य धर्मार्थे दारान्तरसद्धावे— " यश्चे यश्चे प्रकुरुते सीतां पत्नीं हिरण्मयीम् । " १५ इति हिरण्मयीसीताकरणमपार्थकं स्यादित्याशङ्कचाह हिरण्मयीति । अपवाद्भीत्या त्यक्ता या सीता तद्गतं तद्विषयं यदानृशंस्यमनेष्ठुर्ये तद्भावाशङ्कानिवृत्त्यर्थम् । रावणापहारदूषितां सीतां रामो भजते इति लोकापवादभयमात्रेणासौ त्यक्ता, न सीताया दुष्टत्वात्, नापि रामस्य सीतायां नेष्ठुर्यमिति द्योतियतुम् । लोकापवादभीतिं प्रति त्यागस्य नित्यसापेक्षत्वात्त्यदर्शनाय त्यकाशब्दस्य सीतापदेन सह सापेक्षसमासः कृतः । कथं व्यवहितापत्यकृतपित्रानृण्यता भीष्मस्येत्यपेक्षायामाह।भीष्मश्चेति । ननु २० तयोर्धर्ममात्रार्थे दारसद्धावः क्रचिद्पि पुराणेतिहासयोरनुकः केन प्रमाणेनावगस्यत इत्याशङ्कचाह । केवलमिति । अपिशब्देनापत्यहेतोः अद्यपभृतीति च विशेषणसामर्थ्यादेवमवगस्यते इति सूचितम् । ननु मोहाद्प्यनुष्ठानोपपत्तेर्मैकान्ततोऽर्थापत्तः संभवतीत्याशङ्कचः

" श्राद्धकाले मम पितुर्मया पिण्डः समुद्यतः । तं पिता मम हस्तेन भित्त्वा भूमिमयाचत ॥ "

" नैत्र कल्पे विधिर्दृष्ट इति निंश्चित्य चाप्यहम् । क्क्शेष्वेव तदा पिण्डं द्त्तवानविचारयन् ॥ " २५

" इति भीष्मस्यात्यन्तनैपुण्यान्मोहासंभवं दर्शियतुमाह । यो वेति " इति । अत्र नैिमात्तिकेन नित्यस्य वाघ इत्यंशो धर्मार्थं दारान्तरसद्भाव इत्यंशश्च न युक्त इति पातिपादितं गुरुचरणैर्भञ्जूषायां तत् एव बोध्यम् ।

न चैवं द्वाद्शविधपुत्रप्रतिपाद्नानन्तरं "यत्तु आत्वणामेकजातानामित्यादि, तद्पि आतुष्पुत्रस्य पुत्रीकरणसंभवे अन्येषां पुत्रीकरणनिषेधार्थं, न पुनः पुत्रत्वप्रतिपाद्नाय, तत्तुता ३०
गोत्रजा बन्धुरित्यनेन विरोधात् " इति व्याख्याकृदुक्तं विरुध्येतेति वाच्यम् । आश्यानवबोधात् ।
तथा हि । किं तिन्षेधः शाब्दोऽर्थ उत तात्पर्यार्थः । नायः । अक्षरमर्याद्या तद्पतितेः ।
नान्त्यः । संभावितशाब्दत्यागेन तद्द्विकारे निर्वीजत्वात् । तस्मानेदं युक्तम् । नन्वस्तु

यथाश्रुतसंभवोऽत आह । न पुनिरिति । पश्चादित्यर्थः । द्वाद्शविषपुत्राभावे पत्न्यादिसत्ते इत्यर्थः । अत एवाह । तत्सुता इति । तथा सित इतरपुत्रवत्पत्न्याः पूर्वमेव निवेशौचित्येन तथोक्ति-विरोधः स्पष्ट एव । तथा सित त्रयोदशपुत्रत्वापत्त्या 'पुत्रान् द्वाद्श यानाहेति ' द्वाद्शसंख्याविरोधा-पत्तिश्चेत्यपि बोध्यम् । तथा च न तस्य तद्र्थमितिपाद्ने तात्पर्यं किं त्वेतद्र्थस्वण्डने इति बोध्यम् । अत एव वा तत्रैव हेतूपन्यासो न तु तत्रेति भावः ।

नन्वेवं कस्तिहें वचनार्थ इति चेत्, प्रागुक्त एव वार्तिकसम्मत इति बोध्यम् । तद्नुक्तिस्तु अन्यत्र तस्योक्तत्वेन स्पष्टत्वात् । एतदुक्तिस्तु एकदेश्युक्तार्थान्तरनिराससूचनपूर्वकविरोधखण्डनमात्र-तात्पर्येणेति । तथा च तत्र नामहोऽपि त्वत्रेति बोध्यम् ।

एतेन आशौचनिर्णयस्था गुरुचरणोक्तिरिप व्याख्याता । तथा च वार्त्तिकैकवाक्यता सिद्धा । १० तथा च द्वाद्शपुत्रभिनेन भावृसुतेन तादृशपिवृव्यस्य भागुक्तकार्यसिद्धचा तद्र्थे पत्न्यादिसन्त्वे पुत्रा-न्तरपरिग्रहो न कर्तव्य इति तत्त्वम् ।

एतेन "भ्रातॄणामिति सोद्रभात्रभाविषयमविभक्तविषयं चेति न पुत्रत्वातिदेशोऽयस् । अत-स्तत्र सति एकादशपुत्राः पतिनिधयो न कार्याः स एव भ्रातॄणां पिण्डदें।ऽशहरश्वः'' इति वाचस्पति-मेथातिथिकल्पतरुरत्नाकराद्युक्तं परास्तम् । उक्तयुक्तेः द्वादशपुत्र।भावे पत्नीत्यादिसूलोक्तेश्व ।

१५ अत एव "तस्माइत्तकपुत्रमशंसेयमिति विज्ञानेश्वर इति । इति निर्णयसिन्ध्तः, दिन-करोद्द्योतोक्तं, " आत्रूणामित्यादि पुत्रित्वातिदेशपरं तत्फलं तु पुत्रामनरकाशाप्तिः पुंस स्त्रिया-सपिण्डनार्हत्वमुभयोः कृत्रिमाद्यकरणं च " इति मिश्रादिभिक्तः चापास्तम् ।

नन्वेवमि मन्यादिवाक्यस्योक्तार्थकत्वे न भीष्मविषये प्रवृत्तिः, भीष्मविचित्रवीर्थी भिन्नमातृका-वेकिपितृकौ, व्यासविचित्रवीर्यावेकमातृकौ भिन्निपतृकौ यथा । किं च । तस्य धृतराष्ट्रादिः क्षेत्रजो २० नौरसः । एवं च कथं वार्तिकादिसङ्गतिरिति चेन्न । तत्र तद्विषयत्वेन तद्रेशेऽपि तस्यायुक्तत्वेऽपि मनुवाक्यस्य तद्र्थकत्वे दोषाभावेन प्रकृतेष्टार्थसिद्धेरप्रत्यूहत्वात् । अत एव पितृभक्तयेव तस्य पित्रणीपाकरणम् । अग्निहोत्रादिना देवर्णमुक्तिः। किं च ''त्रिभिर्क्षणवान्'' इत्यादिश्रुतिर्न नेष्ठिकत्रह्म-चारिविषया, तद्दणापाकरणस्य ब्रह्मचर्येणाग्निकार्यादिना च सिद्धेः स्मृतिष्क्कत्वात्, इति गुरुचरणे-रुक्तं तत्र ।

२५ यदि तु वार्तिकोक्तिरिप तदंशे योजनीयेत्याग्रहस्ताहि इत्थं योज्या । एकजातानामित्यनैक-शब्दः प्रधानपरः ।

"माता भस्रा पितुः पुत्रो येन जातः स एव सः । तस्माद्भरस्व दुष्यन्तं माऽवमस्थाः शङ्कन्तलाम् ॥" इति भारतोक्तेः ।

" बीजस्यैव च योन्याश्च बीजमुत्ऋष्टमुच्यते । सर्वभृतपसूतिहिं बीजलक्षणलक्षिता ॥ ''

३० इति मनूक्तेश्व (अ. ९१३५)। क्षेत्रजे तु वैपरीत्यं वाचिनकम् । तथा चैकिपितृकत्वमात्रं विविक्षितम् । बृहस्पतिवाक्ये सहोद्रत्त्वमि पित्रुद्रमाद्ययेव । अत एव सोद्रा इत्यनुक्तिः । बहव इति तु स्पष्टार्थम् । बहवोऽपीति तदर्थः। यद्वा भूयांसोऽपीत्यर्थः। 'किपिअलाधिकरण'न्यायेन बहुत्वस्य विद्वचनवोधितस्य त्रित्वे पर्श्रवसानमिति व्यवच्छेद्।य हि बहव इत्युक्तम् । अथ वा तुशब्दस्य

बार्थत्वेन ब्युक्कमेण च सहोद्राश्चेति वाक्यान्तरम् । तथा चोभयोरिप तत्प्रतिपाद्नम् । तद्रेष-वाक्यतया मनुवाक्यस्यापि प्रागुक्तरीत्याऽर्थद्वयं बोध्यम् । अत एवैकयोनिप्रसूतानामिति स्मृति-सारसमुख्योक्तपाठः सङ्गच्छते । अत एव पुत्रवानित्यत्र पुत्रपदं मातापित्रन्यतरजन्यपरम् । तत्र जाते इत्युक्तिस्वारस्याच । एवं च तद्विषयता तत्र स्पष्टैवेति ।

नन्वेवमापि---

" अपुत्रस्य पितृव्यस्य तत्पुत्रो भातृजो भवेत् । स एव तस्य कुर्वीत श्राखं पिण्डोद्किकियाम्॥ "बह्वीनामेकपत्नीनामेष एव विधिः स्मृतः । एका चेत्पुत्रिणी तासां सर्वासां पिण्डद्स्तु सः॥" इति बृहत्पराद्यारोकिविरोध एवेति चेत्र । आशयानववोधात् ।

तथा हि । तत्र पूर्वार्धस्योक्ते एवार्थस्त चुल्यत्वात् । अपुत्रस्य पितृव्यस्य भ्रातृजस्तत्पुत्रो भवेदित्यन्वयः । अपुत्रिपृतृव्यत्वावच्छित्रस्य भ्रातुः सुतः तस्यापि पितृव्यत्वावच्छितस्यापि पुत्रो भवेदि- १०
त्यर्थः । तदेकवाक्यत्वात् । सर्वे वाक्यमिति न्यायेन व्याख्याने तूक्तविरोधः शास्त्रान्तरिवरोधश्च स्पष्ट
एव । भ्रातृज एकोऽपि । अत एव तदेकवाक्यता । अपुत्रस्येत्यनेन पुत्रसत्त्वे न तथेति सूचितम् ।
अत एव पूर्वे तथा व्याख्यातम् । तद्याख्यानानुरोधेन पितृपत्न्यः सर्वा मातरः स्मृता इतिवत् पागुक्तस्वं पुत्रकार्यकारित्वं विधीयते । तेन तदेकवाक्यता इष्टासिद्धिद्रिषाभावश्चेति सिद्धम् ।

नन्वेवमप्युत्तरार्धस्य का गतिरिति चेत्, अञ्चोच्यते । पूर्वोर्द्धेन केषाश्चित् पुत्रकार्याणां सिद्धा १५ तद्र्थं तत्परिग्रहं प्रतिपाद्य प्रसङ्गाद्दिषयविशेषे पिण्डादि्रूपकार्यसिद्धिरिप अत एवेत्याह । स एवेति । बुद्धिस्थो विलक्षणभातृपुत्र एवेत्यर्थः । तस्य, तस्यापि पितृत्यत्वाविच्छिन्नस्यापि । कुर्वीतेत्यनेन स्वफलार्थं तस्यावश्यकत्वेन तस्य स्वधर्मत्वं सूचितम् । श्राद्धमेकोदिष्टादि । पिण्डपदेन दशसु दिनेषु दीयमानाः । उदकमञ्जलिदानादि । क्रियापदेनाप्रिसंस्कारादि ।

यद्दा कियापदेन कर्मधारयः । अत एव " क्रियालोपादित्येव" मनुनोक्तम् । तथा २० चोत्तरार्द्धे पागुक्तक्रमेणोरसादिभावन्ताभावविषयम् । एवेन गोवजादिव्यवच्छेदः । यद्दा । भ्रातुः सुतानां बहुनां सत्त्वेऽपुव्यपिवृव्येण कनिष्ठस्य तस्यैव द्त्तकत्वेन पुत्रीकरणे तद्दिषयम् । एवेन पत्न्यादि- व्यवच्छेदः ।

यद्दा अविभक्तभातृसुताविषयम् । यद्दा विभक्तसंमृष्टभातृसुतविषयम् । अत्र पक्षद्वये यथा पत्नीसत्त्वेऽपि दायहरत्वं भ्रातुस्तथा पत्न्यादिसत्त्वे भ्रात्रभावे तस्य धनहारित्वम् । भ्रातृसत्त्वे तस्य २५ धनहारित्वेऽपि पिण्डदानादौ तस्यैवाधिकारो नांशहरणप्रयुक्तोऽन्यस्य । तत्र भ्रातृसत्त्वे जीवित्पितृक- निषेधवाधकामिदं, विशेषविहितत्वात् । अत्र पक्षे यथा तस्य भ्रातृसुतश्चके इत्यादिना न विरोधस्तथोक्तं पाक् । यद्दा । इदं तादृशगतपितृकविषयकमेवास्तु । सर्वथा पत्न्यादिः एवव्यवच्छेदाः ।

वस्तुतस्तु द्वाद्शविधपुत्राभावे पत्न्यादिसत्त्वे तेषां यथाक्रममुक्तरीत्या द्वायहरत्वेऽपि श्राद्धा-दिकमपि वंशाविच्छित्त्यादिवत् श्रावृमुतेनैव कार्यमिति तद्वर्थमपि द्त्तकपरिग्रहो नेत्यनेन प्रतिपायते ३० इति न पूर्वतो वैरूप्यम् । न च "यश्चार्थहरः स पिण्डदायी" इति विष्णुस्मृतिविरोधः । तद्वाधनार्थ-मेवास्य प्रवृत्तेः । तथा च "तत्र पुत्रः पितृवित्ताभावेऽपि" इत्यत्र पुत्रपद्नैकाद्शपतिनिधिवदेतस्यापि ग्रहणेनोक्तनियमस्य तद्न्यविषयत्ववदेतद्न्यविषयत्वमपीति न तद्विरोधः । तत्र पितृवित्ताभावेऽपीत्यस्य तस्य निर्धनत्वेन तद्सत्त्वेऽपीतिवदुक्तकमेण स्वस्याधिकारेऽपि तत्सत्त्वेऽनिधकारेण तद्पासावपीत्यर्थः । न चैवमिप कथं तस्य पितृत्वं, तस्य साक्षाज्ञनके एव प्रसिद्धेरिति वाच्यम् । " पितरो यत्र पूज्यन्ते " " पन्नैते पितरः समृताः " इत्यादौ साक्षाज्ञनकभिन्नेऽपि पितृशब्दस्य प्रयोगात् । तथा च यन्निक्षपितं पुत्रत्वं तत्कार्यकरत्वे च तस्य तत्र शहणिमिति न दोषः । तथा च तस्य निर्धनत्वे तथा सत्त्वेऽपि सधनत्वे तदीयौर्ध्वदेहिकाद्युपयोगि तावत्पर्यन्तं तहृत्त्युपयोगि च तस्मै द्त्त्वा ऽविशिष्टमधिकारिणा श्राह्मम् । अत एव वित्ताभावेऽपीत्युक्तं, न त्वंशाभावेऽपीति । अत एव—

" अदायिकं राजगामि योषिद्वन्यौर्ध्वदेहिकम् । अपास्य श्रोत्रियद्रव्यं श्रोत्रियेभ्यस्तद्र्पयेत् ॥ "

इति कात्थायनेना कम्। न चैवमपि पत्ये द्याच सा पिण्डम् इति वृद्धमनुविरोधः, तस्या अंशहरत्वे तद्दातृत्वपरत्वस्य तस्योक्तत्वेन तद्वैपरीत्यपरतया अत्र पक्षद्वये उक्तत्वादि्ति वाच्यम्। तस्य सङ्कल्पाग्निद्गनमात्रपरत्वात् । अत एव---

- १० ' पूर्व मृता त्विमहोत्रं मृते भर्तिर तद्धनम् । लभेत्पतिवता नारी धर्म एष सनातनः ॥
  - " जंगमं स्थावरं सर्वे कुप्यं हेम रसाम्बरम् । आदाय दापयेच्छ्राद्धं मासपाण्मासिकाब्दिकम् ॥
  - " पितृत्यगुरुदौहित्रान् भर्तुः स्वसीयमातुलान् । पूजयेत् कव्यपूर्त्ताभ्यां वृद्धांश्वाप्यतिथीन् स्त्रियः॥" इति प्रजापतिः सङ्गच्छते ।

किं च । तथात्वेऽमन्त्रकिन्नयापत्तिः । सा चोक्तरीत्या तथा सम्भवति न युक्ता । १५ अत एव-—

- " सर्वाभावे स्त्रियः कुर्युः स्वभर्तॄणाममन्त्रकम् । " इति भविष्यपुराणं मार्कण्डेयपुराणं च, " कुलद्द्येऽपि चोत्सने स्त्रीभिः कार्या किया नृप । " इति विष्णुपुराणम्,
  - " कुलद्देय समुच्छिने स्नीभिः कार्या किया नृप । " इति भारतम्,
  - " सर्वेषां पुत्रहीनानां स्वभर्तॄणाममन्त्रऋम् । सर्वबन्धुविहीनस्य पत्नी कुर्यात्सपिण्डनम् ॥ ''
- २० इति इत्याद्धाद्धाः च सङ्गच्छते । अत एव तत्कर्तृकमिद्रानमात्रं समन्त्रकमित्युक्तं समृतिषु ।

तथा च कात्यायनः-

- " असंस्कृतेन पत्न्या च ह्याग्रिदानं समन्त्रकम् । कर्तन्यमितरत्सर्वे कारयेद्न्यमेव हि " ॥ इति । अत एव च---
- २५ " अपुत्रस्य स्त्रिया कार्यं पिण्डश्राद्धं तथोदकम् । क्रियालोपो न कर्तन्यः प्रेतस्य गतिकांक्षिपिः ॥ '' इति **बौधायने** क्रियालोप इत्यायुक्तम् । अत एव च—
  - " पितृमातृसिपण्डेस्तु समानसिल्लेस्तथा । तत्संघातगतैश्चेव राज्ञा वा धनहारिणा ॥ " पूर्वाः क्रिया मध्यमाश्च पुत्राद्येरेव चोत्तराः । दौहित्रैर्वा नरश्रेष्ठ कार्यास्तु तनयस्तथा ॥ " इति क्रिक्कपुरक्षणे पराशरेण पुत्राद्यैरेवेत्युक्तम् । तस्य च भ्रातृसन्तत्यन्तैरित्यर्थः ।
- ३० " पुत्रः पौत्रः प्रपौत्रो वा तददा भातृसंतातिः । " इति तेनैवोक्तवात् इति केचित् ।

षस्तुतस्तु दितीयपक्षे शङ्काया एवाभावेऽपि प्रथमपक्षोक्तरीत्याऽत्र सर्वाभावे इत्युक्त्या तस्य च द्वादृशपुत्राग्रभावे तादृशम्रातृसुतयोरभावे चेत्यर्थेन कुलद्वयोच्छेद्।परपर्यायेण तस्य सधनत्वे च पत्न्यैव कार्यम् इतिपरत्वं वृद्धमनोः। तद्प्युक्ररीत्या कुलद्वयौच्छेदे तावन्मात्रं समन्त्रकम्, अन्यद्मन्त्रकम् । एतद्धीमेव अपुत्रा पुत्रवत्पत्नीत्यतिदेशः । तथा च तद्धी धर्मपुत्रो न विधेयः । कुलद्वयान्तर्गतस्य कस्यचित्किनिष्ठस्य तद्न्यस्य सत्त्वे तु तावन्मात्रं समन्त्रकं तथा कार्यम्, अन्यद्न्यद्वारा समन्त्रकमेव कारणीयामिति न कश्चिद्दिरोध इति बोध्यम् ।

एतेन दुहिताऽपि तादृशतत्सद्भावे निरस्ता । एवं दौहिजीऽपि । सगोजसद्भावे भिन्नगोजस्य तद्नधिकारात् । अत एव " पुजाभावे सपिण्डा मातृसपिण्डाः शिष्याश्च द्युस्तद्भावे ऋत्विगाचार्या-विति " गौतमः सङ्गच्छते । अत एव च " द्युरिति बहुवचनेनोद्कद्गनवत्सवैः पिण्डद्गनं कार्य-मिति नाशङ्कनीयं, किं तु पुत्रेणैव कार्यं, तद्भावे पत्यासनेन सपिण्डानामन्यतेमन, तद्भावे मातृ-सपिण्डादिना कार्यम् " इति विज्ञनश्वरेण व्याख्यातमाशौचप्रकरणे । न चैवम्——

" असगोत्रः सगोत्रो वा यदि स्त्री यदि वा पुमान । प्रथमें अहिन यो द्वात्स द्शाहं समापयेत् ॥ '' १० इति गृह्यपरिशिष्टस्य,

" असगोत्र: सगोत्रो वा योऽग्नि द्वात्सखे नरः । सोऽपि कुर्योनवश्राद्धं शुद्धचेतु द्शमेऽहानि ॥ "

इति दिवे(दासीयस्य च का गितिरिति चेत्, पुत्राद्यसंनिधानिषधं तिदिति गृहाण । न चैवं प्रागुक्तमनुविष्णु विरोध इति वाच्यम् । तेस्यैतद्भाविषधत्वात् । न च विनिगमनाविरहः । पिण्डाधिकारिकमबोधकवाक्येषु प्रागुक्तेषु पुत्रः पौत्रः पप्ती आतेत्यादिषु तदनन्तरं तद्नुक्तेरेव १५ विनिगमिकायाः सत्त्वात् । न च "यश्च" इतिविष्णूपोद्दलितपत्नीतिमूलोक्कमस्य प्राबल्यम् । तद्- पेश्वया पुत्रस्येत्याद्यपोद्दलितपागुक्तवाक्यीयपिण्डदानादिकमस्यैवान्तरङ्गत्वेन प्रावल्यात् । न च पौत्रदौहित्रयोरित्यादिप्रागुक्तमनोस्तस्येतोऽप्यन्तरङ्गत्वम् । भ्रातृणामित्याद्युक्त्याऽस्य पुत्रस्थानीयत्वेन ततोऽप्यन्तरङ्गत्वात् । अत एवोक्तवाक्यादौहित्रसत्त्वेऽपि सापत्नपुत्रस्यैव कियाकरणाचारः सङ्गच्छते इति दिक् ।

पित्रोस्तु पागुक्तरीत्यैव निरासः ।

नन्वेवमिप भ्रातृतत्पुत्रसमवाये उक्तरीत्या दिविधया क्रमेण तयोः प्राप्तिः, इतस्तु तत्पुत्रस्यै-वोक्तरीत्या प्राप्तिरिति चेत्, शृणु । 'नानुजस्य तथाऽग्रज' इति **बौधायना** युक्तनिषेधेन पिण्डाधि-कारिकमबोधकवाक्येषु भ्रातृपद्स्य कनिष्ठभ्रातृपरत्वस्यावश्यं वक्तव्यत्वेन तयोरुक्तरीतिद्वयेन क्रमसत्त्वेऽपि भ्रातॄणामित्याद्विकशब्द्स्य प्रथमार्थकतया ज्येष्ठपरत्वेन तस्यानाधिकारेण तद्विषयमिद्- १५ मित्यविरोधः ।

यदि तु पत्नी भ्रातिति पुत्रः पौत्र इति च न तत्र कमबोधकं किं तु तत्स्वरूपबोधकम्, एवं च न दोषलेशः, कमस्तु द्रायहरणीय एव, उक्तविष्णुवाक्यादित्युच्यते तदैकशब्दस्य तत्र संख्यार्थकत्त्वेना-सङ्कोचेन तत्सत्त्वेऽपि तत्सुत एवाधिकारीत्यनेन बोध्यते । एवं च भ्रातृणामित्यापि तत्र बहुवचनं "तावतो वारुणान् ?" इतिवयथासम्भवपाप्तानेकत्वानुवादः ।

वस्तुतस्तु "हलोऽनन्तरा " इतिवदेकशेषस्तत्र बोध्य इति न दोष इति तत्त्वं बोध्यम् । एवं च "नापुत्रस्य लोकोऽस्ति " "जायमान " इत्यादिशास्त्रबोधितस्यापुत्रत्वपयुक्तदोषस्य निवृत्त्यादि पागुक्तत्रयं द्वादशविधपुत्रभिनेनापि भ्रातृसुतेनापुत्रस्य पितृत्यस्य भवतीति मन्त्रेकवाक्यतया यथा पूर्वार्धेन प्रतिपाद्यते, अत एव " सुते जाते " " पुत्रवान्भवेत्" इति जनिसत्तामात्राभ्यां तेषां पुत्रवत्त्वसङ्कीर्तनं, तथोत्तरार्द्धेन पिण्डादिरूपकार्यमपि तत एव तस्य भवतीति अपूर्व पतिपाद्यते । अत एव—

"सिपतुः पितृकृत्येषु ह्यिषकारो न निद्यते । न जीवन्तमितिक्रम्य किञ्चिद्द्यादिति श्रुतिः ॥ "

इति कात्यायनस्य नात्र प्रवृत्तिः। तथा च तद्धुपयोग्यंशहरत्वमि तत्सत्त्वे तद्भावे सिद्धम्।

पुकं चैतत्। स्वपुत्रेणेव प्रातृसुतेनापि पिण्डादिनिर्वाहस्य समस्तिपितृणां वंशिवच्छेद्परिहारस्य ऋणापाकरणस्य परलोकस्य च सम्भवात्। एवं च तद्र्धे केवलं प्रातुष्पुत्रवतोऽपुत्रस्य द्त्तकादिस्वीकारप्रवृत्तिनिरासः । एवं सिति मन्यादिवाक्यस्य तत्परत्वविषण्डदानादिपरत्वमिप बोध्यम्।
अत एव तदेकवाक्यता सर्वतः सिद्धा। एवं सिति न कस्यापि विरोधोऽनेन, नापि
मिताक्षराविरोधः, नापि द्वाद्शसंख्याविरोधः, नापि मन्वादिवाक्ये क्रियाद्यध्याहारजक्केशः, नापि
१० तत्स्थानिवेशानुपपत्तिः, पुत्रत्वेनाकृतानां प्रातृसुतानां पत्न्यादिसत्त्वे। तद्भावे पुत्रकार्यम्। ऋणापाकरणादिकारिणामिप वचनाद्रिकथ्यहणाधिकारसंभवात्। तथा कृतानां तु तेषां भवत्येव ततः प्राक्
तद्धिकारः। पत्न्यादितः पूर्वं मदीयपिण्डदानिरिक्थाधिकारी कश्चिद्भवेदिति कामनायां भ्रातृसुतस्यैव
दत्तकविधिना स्वीकार उचित इत्यप्येनेन स्त्वितं भवति। उक्तमलजनकतया पुत्रसदृशस्यैव तस्य
पुत्रप्रितिनिधित्वेन स्वीकरणमुचितमिति षाष्ठप्रितिनिधिन्यायसिद्धमेवानेन व्यक्तितं च भवतीत्यलम्।

१५ एतेन " मनुवाक्यं पाशस्त्यपरं पराशारवाक्यं तु आतृव्येण पितृवत्पितृव्यपार्वणश्राद्धमवश्यं कत्त्रीव्यमित्येवं परम् ।

### पराशरेणैव तद्ये-

" पार्वणं तेन कार्यं स्यात्पुत्रवत् भ्रातृजेन तु । पितृस्थाने तु तं कृत्वा शेषो पूर्ववदुचरेत् ॥ "

इत्यभिधानात् । न तु पुत्रत्वप्रतिपाद्कमुभयम् । त्रयोद्शपुत्रत्वापत्तेः '' इत्यपास्तम् । विधि-२० त्वादिसम्भवरिहतस्य यथाकथंचिद्विधिसंसुष्टस्यान्यथानुपपत्त्या द्विविधया शक्यार्थस्य प्रकृतानुपयोगेन वाक्यस्य लक्षणया पाशस्त्यपरत्वस्य पूर्वमीमांसायां प्रथमाध्यायस्य द्वितीये पादे ''वायुर्वै क्षेपिष्ठा देवता'' इत्यादौ प्रतिपादितत्वेनात्रातथात्वेन तद्सस्भवात् अतिदेशविधित्वसम्भवात् । अत एव तद्-कत्पनात् । अत एव तद्संसुष्टत्वाच ।

न चापुत्रेणैनेत्यादि विधायकं, तस्य पुत्रप्रतिनिधिविधायकत्वेऽपि अस्यातथात्वेन तद्सम्भवात् । २५ बाचनिकप्रतिनिधित्वस्यैकाद्शस्वेव सत्त्वात् । तथा च—

"क्षेत्रजादीन्सुतानेतानेकाद्श यथोदितान् । पुत्रप्रतिनिधीन् पाहुः क्रियालोपान्मनीषिणः॥" इति मनुः। ( अ. ९ । १८० )

पुत्रमतिनिधीन् औरसपुत्रिकामितिनिधीन् । तेन तयोरभावे तद्धपादानम् । मुख्यभावे मित-निध्युपादानस्य शास्त्रार्थस्वात् ।

३० अत एव **बृहस्पातिः**,

"आज्यं विना यथा तैलं सद्भिः प्रतिनिधिः स्मृतः। तथैकाद्श पुत्राः स्युः पुत्रिकौरसयोविना ॥ '' इति । तेन तयोरसन्त्रे एव ते भवन्ति । अत एवोक्तम् — "सन्तानकारणं तेषाम् औरसः पुत्रिका तथा''। इति । पतेन 'सर्वोभावे धर्मपुत्रपरं तद् व्यासयमवाक्यम् "अपुत्रेण सुत '' इति । याद्वक् सपि-ण्डोऽसपिण्डो वा सजातीयोऽन्यजातीयो वा श्रद्धान्य इति तद्र्थः'' इति मिश्ररत्नाकरायुक्तमपास्तम् । ३५ तस्य द्वादशपुत्रविधिनोपसंहारात् । अत्र " पुनांस एव पुत्रा में जायेरिकति " सूत्रे मीनांसायां " पुनांसं पुत्रमाधेही"त्यादिश्रुतौ व पुत्रपद्स्य कन्यावाचित्वद्र्शनात्कन्याया अपि दानप्रतिग्रहौ स्त इति कृष्णयज्वाद्यः ।

वस्तुतस्तु चिन्त्यमिदं लोकशास्त्रविरुद्धत्वात् । तत्र विशेषणं त्वितिशयितपुंस्त्वबोधनाय । तत्त्वं चानुशिष्टत्वादि । स्पष्टं चेदं शब्दरत्नभावप्रकाशादौ । एवं च सीतायाः कुन्त्याश्च महामार-तादौ दत्तकत्वोपाख्यानात् तथैव शिष्टाचाराच तथेति युक्तमिति बोध्यम् । एतेन पुंस्त्वविवक्षा तत्रेति मतमपास्तमित्यये स्फुटीभविष्यति ।

एतेन मनुवाक्यस्यापि तत्त्वं निरस्तम् । मिताशरा तु न विरुद्धा यथा तथोकं माक् । एव मन्येषां सुयोजत्वे तथाऽस्तु । अन्यथाऽस्य प्रामादिकत्वमेवास्तु । एवं पराशरस्यापि तत्परत्वं न-युक्तम् । सम्भवति प्रोक्तरीत्या शक्यार्थपरत्वे लक्षणानौचित्यात् । पूर्वार्धस्येवकारस्योदकिकयाम् इत्यस्य च भ्रान्तप्रलिपतत्वापत्तेः । वक्ष्यमाणार्थमात्रप्रतिपादकत्वे च पौनरुक्त्यापातात् । उत्तरार्धस्यावि- १० वरणपरतया योजनेऽपि पूर्वार्द्धेन दोषतादवस्थ्यात् । पूर्वमध्यमयोः किययोरनिधकारापत्तेः । एकोद्दिष्टे तद्गपत्रेश्च ।

न च---

'' सिपण्डीकरणादूर्ध्वं पित्रोरेव हि पार्वणम् । पितृब्यभ्रातृमातॄणामेकोद्दिष्टं सदैव हि ॥ '' इति कात्यायनोक्तः —

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" सपिण्डीकरणादूर्ध्व यत्र यत्र पदीयते । आत्रे भगिन्यै पुत्राय स्वामिने मातुलाय च ॥

" मित्राय गुरवे श्राद्धमेकोद्दिष्टं न पार्वणम् । "

### इति वृद्धवसिष्ठाच-

" अपुत्रा वा मृताः केचिन्पुरुषा वा स्त्रियोऽपि वा । तेषामपि च देयं स्यात् एकोहिष्टं न पार्वणम् ॥" इत्यापस्तम्बपातैकोहिष्टवाधनार्थमेवेद्मिति वाच्यम् ।

'' पितृत्यभ्रातृमातृणां ज्येष्ठानां पार्वणं भवेत् । एकोहिष्टं किनिष्ठानां दंपत्योः पार्वणं मिथः ॥'' इति चतुर्विदातिमतविरोधापत्तेः ।

न च इत एव तत् यथा कर्जिपेक्षया कनीयः पितृच्यादिविषयम्, एवं तद्पि ज्येष्ठपितृच्य-विषयमिति वाच्यम् । सामान्यस्मृतेः सङ्कोचेन व्याख्याने मानाभावात् । पूर्वे तेषां मध्ये किनष्ठ-परत्वस्योक्तत्वेऽपि कर्जिपेक्षया तत्परत्वस्यानुक्तत्वेन तद्विरोधात् । अत्र ग्रुक्भेन्त्रोपदेष्ठा विद्यापदाता २५ च । मातृपदं मातृसपत्नीपरम् । जनन्याः पार्वणविधानादेकोद्दिष्टविधानानुपपत्तेः । मम तु पूर्ववाक्येन द्वयोरपि तयोः सकलकियापाप्तानुत्तरिक्रया कथं कार्या ज्येष्ठस्येत्याकांक्षायां तदेकवाक्यतया तेन तस्यैव पार्वणं विधीयते इति न दोषः । अत एव---

" अपुत्रस्य पितृव्यस्य श्राद्धादि पितृवज्जवेत् । "

इति ्ट्रत्यन्तरमप्युपपनम् । यद्देद्मुभयपरमस्तु, पितृवदाचाराद्यवस्था ।

किं च । पार्वणश्राद्धमवर्श्यं कर्तव्यमित्यञ्चावर्श्यराब्द्स्याङ्गीकारार्थत्वस्य निश्चयार्थत्वस्य चासम्भवेनावधारणार्थत्वस्य वाच्यत्वेन तदेव कर्तव्यमित्यर्थोऽथवा तत्कर्तव्यमेवेत्यर्थो वा । नाद्यः । प्रागुक्तस्य स्मृत्या पितृवद्।चारपाप्तेकोदिष्टबाधापत्तेः । नान्त्यः । उक्तरित्येव तद्करणे दोषापत्ते-रिति दिक् । यद्पि न त्वित्यादि, तद्पि न । 'अपुत्रा पुत्रवत्पत्नी' त्युदानःस्मृतेः पत्न्यां तत्त्वातिदेशेऽपि यथा न तद्मिक्यं तथाऽत्र तद्तिदेशेन तद्मतिपाद्कत्वेन तद्नाधिक्येन तद्विरोघात् । अन्यत्र अन्यशब्दः प्रयुज्यमानो विनाऽपि 'वतिं वत्यर्थं गमयतीति ' न्यायात् अस्याप्रतिनिधित्वेन द्मयग्रहण-क्रमबोधकवाक्ये तत्र पाठोपपत्त्या तद्विरोधात् । पिण्डादौ त्वयमेव ततः प्रवल इत्युक्तम् ।

प किं चास्तु तदाधिक्यं, न च तत्संख्याविरोधः । तदाशयानवबोधात् । तथा हि । याज्ञ-वल्क्येनौरसादयो दादशपुत्रा गणितास्ते च पागुका एव ।

### हारीतोऽपि--

षड् बन्धुदायादाः षडबन्धुदायादाः । साध्व्यां स्वयमुत्पादित औरसः, क्षेत्रजः, पौनर्भवः, कानीनः, पुत्रिकापुत्रो, गृहे गूढोत्पन्न इति बन्धुदायादाः दत्तः, कीतको, ऽपविद्धः, सहोढः, स्वय-१० मुपागतः, सहसाद्दृष्ट्येत्यबन्धुदायादाः " इति ।

#### यमोऽपि,

- " पुत्रास्तु द्वाद्श पोक्ता मुनिभिस्तत्त्वदार्शिभिः । तेषां षड् बन्धुदायादाः षडदायाद्वान्धवाः ॥
- " स्वयमुत्पादितस्त्वेको द्वितीयः क्षेत्रजः समृतः । तृतीयः पुत्रिकापुत्र इति धर्मविदे विदुः ॥
- " पौनर्भवश्चतुर्थस्तु कानीनश्चैव पञ्चमः । गृहे तु गूढ उत्पन्नः षडेते पिण्डदाः स्मृताः ॥
- १५ " अपनिद्धः सहोद्ध्य दत्तः कृत्रिम एव च । पश्चमः क्रीतकः पुत्रो यश्चोपानयते स्वयम् ॥
  - " इत्येते मुनिभिः ग्रोक्ताः षडदायाद्बान्धवाः । '' इति । औरसादीनभिधाय—
  - " एते द्वाद्शपुत्रास्तु सन्तत्यर्थमुदाहृताः । आत्मजाः परजाश्चेव लब्धा याद्टच्छिकास्तथा ॥
  - " तेषां षड् बन्धुदायादाः पूर्वेऽन्ये पितुरेव षट् । '' इति देवलोऽपि ।
- '' औरसा**र्दा**न् कृत्रिमरहितान् यत्रक्वचनोत्पादितसहितानाभिघायैतेषां यः पूर्वः स श्रेयान्स २० एव दायहरः स चान्यान् विभृयादिति '' विष्णुरिष ।
  - " औरसः क्षेत्रजश्चेव पुत्रिकापुत्र एव च । कानीनश्च सहोढश्च गूढोत्पनस्तथैव च ॥
  - " पौनर्भवोऽपविद्धश्च द्त्तः क्रीतः कृतस्तथा । स्वयं चोपगतः पुत्रा द्वाद्शैते प्रकीर्तिताः ॥
  - " एषां षड् बन्धुदायादाः षडदायाद्बान्धवाः । पूर्वः पूर्वः समृतः श्रेष्ठो जघन्यो यो य उत्तरः ॥
  - " ऋमादेते पवर्तन्ते मृते पितरि तद्धने । श्रेयसः श्रेयसोऽभावे जघन्यस्तद्वामुयात् ॥ "
- २५ इति **नारदो**ऽपि । ( अ. १३ श्लो. ४५।४९ )

विसिष्ठोऽपि—-( अ. १७ सू. १३।१४।१५।१८।२१ )

" द्वादशैव पुत्राः पुराणहृष्टाः । स्वयमुत्पादितः स्वक्षेत्रे संस्कृतायामौरसः प्रथमः । तद्लाभे नियुक्तायां क्षेत्रजो द्वितीयः । तृतीयः पुत्रिका विज्ञायते । पौनर्भवश्चतुर्थः । कानीनः पश्चमः '' इत्यादि ।

मनुरपि—( अ. ९ श्लो. १५८।१५९।१६० )

२० "पुत्रान द्वादश यानाह नृणां स्वायं सुवो मनुः । तेषां षड् बन्धुदायादाः षडदायाद्वान्धवाः ॥
" ओरसः क्षेत्रजश्चेव दत्तः कृमित्र एव च । गूढोत्पन्नोऽपविद्धश्च दायादा बान्धवाश्च षट् ॥
" कानीनश्च सहोढश्च कीतः पौनर्भवस्तथा। स्वयंदत्तश्च शौद्धश्च षडदायाद्बान्धवाः ॥" हित ॥

१ ख-यशोपनयेत्वित्यादि । फ-निन्दत्यादिना अपुत्रा... । २ फ-पूर्वेभ्यो ।

अञ्च कैश्वित्युञ्जिकापुत्रं विहाय शौद्रम्रीकृत्य द्वादशत्वमुक्तं, कैश्विद्विपरीतमुक्तं, कैश्वित् कृतिमं विहाय तमङ्गीकृत्य तदुक्तम् । न च शौद्रस्यौरसत्वेनैव संग्रहात्पृथगुक्तिर्व्यर्था । अत एव कैश्वि- तस्य गणनं न कृतम् ।

अत एव--- ( याज्ञ. २।१२५ )

'चतुम्बिद्येकभागाः स्युर्वर्णशो बाह्मणात्मजाः । क्षत्रजाम्बिद्येकभागा विड्जास्तु द्येकभागिनः॥'

इति भिन्नजातीयानां विभाग उक्तः । अत एव च सजातीयेष्वयमित्यत्र कानीनाद्यनुरोधेन सजातीयत्वमूरिकृत्य मूर्धाविसकादीनामौरसेऽन्तर्भावं स्वीकृत्य '' श्रूहापुत्रस्त्वौरसोऽपि कृत्स्रभागमन्या-भावेऽपि न लभते '' इति विज्ञानेश्वरेण व्याख्यातमिति वाच्यम् । तस्य तल्लक्षणानाकान्तत्वात् ।

तथाहि । द्विविधस्तावत् शूद्रापुत्रः।

तत्र—( याज्ञ. १। श्लो. ९१।९२ )

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"विमान्मूर्द्धावित्तको हि क्षत्रियायां विशः स्त्रियाम् । अम्बष्टः शूद्धां निषादो जातः पारशवोऽपि वा॥ "वैश्याशृद्धोस्तु राजन्यान्माहिष्योग्रौ सुतौ स्मृतौ । वैश्यानु करणः शूद्धां विन्नास्वेष विधिः स्मृतः ॥ "

इति मुलेन पतिपादित एकः।

विष्णुनाऽपि, "यत्र कचनोत्पादितश्च द्वादश " इति ।

वासिष्ठेनापि, (अ. १७ सू. ३८) '' शूद्रापुत्र एव षष्ठो भवतीत्याहुरिति।"

१५

बौधायनेनापि, (२।२।२९-३०) " द्विजातिपवरात् सूदायां जातः कामात्पारशव" इति । मनुनाऽपि, (अ.९।१७८)

"यं त्राह्मणस्तु शूदायां कामादुत्पाद्येत्सुतम् । स पारयनेव शवस्तस्मात्पारशवः स्मृतः॥ " इति ।

द्वितीयस्तु दिजातेर्दास्यामुत्पनः । तत्रायस्य न तद्भावे कृत्स्नधनहारित्वम् ।

" यद्यपि स्यात्तु सत्पुत्रो यद्यपुत्रोऽथवा भवेत् । नाधिकं दृशमादद्याच्छ्द्रापुत्राय धर्मतः ॥ " २०

इति मनूकेः (अ. ९। १५४)। इत एव क्षत्रियावैश्यापुत्रयोः सवर्णापुत्राभावे सर्वधन-ग्रहणं सिद्धम् ।

द्वितीयस्तु ''जातोऽपि दास्यां शूद्रेणे''त्यत्र शूद्रमहणात्पितुरिच्छयाऽपि नांशं भजते नाप्यर्द्धे दूरत एव कृत्स्नम् । किं तु 'अनुकूलश्चेज्ञीवनमात्रं लभते ' इति ।

औरसलक्षणं तु मूले 'औरसो धर्मपत्नीज ' इति ।

२५

वसिष्ठोऽप्युक्तः।

विष्णुरिष, " अथ द्वाद्श पुत्रा भवन्ति स्वक्षेत्रे संस्कृतायामुत्पादितः स्वयमौरसः प्रथम'' इति। देवलोऽपि, "संस्कृतायां च भाषीयां स्वयमुत्पादितो हि यः। औरसो नाम पुत्रः सः '' इति।

आपस्तम्बोऽपि, (२।१३।१) "सवर्णी पूर्वज्ञास्त्रविहितां यथर्तु गच्छतः पुत्रास्तेषां कर्मभिः संबन्धः । द्यिनाव्यतिक्रमश्चोभयोरिति ।"

बौधायनोऽपि, (२।२।१४) '' सवर्णायां संस्कृतायां स्वयमुत्पादितमौरसं पुत्रं विद्यादिति ''। श्रुतिश्च, ''अङ्गादङ्गादिति ''—

"आधत्त पितरो गर्भे कुमारं पुष्करस्रजम् । यथेह पुरुषस्यात्मा तस्मान्त्वमिह जायसे ॥

[ श्लोकः १३५

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"आत्मा पुत्र इति प्रोक्तः पितुर्मातुरनुयहात् । सर्वान् नम्नायसे यस्मात्पुत्रस्तेनासि संज्ञितः॥" इति च । "सवर्णा धर्मविवाहोढा धर्मपत्नी तस्यां जात औरसः पुत्रो मुख्यः " इत्यत एव विज्ञानेश्वरेण व्याख्यातम् । (मि. पृ. ८८ पं. ७।८)

मनुनाऽपि---( अ. ९।१६६ )

" स्वक्षेत्रे संस्कृतायां तु स्वयमुत्पाद्येद्धि यम्। तमौरसं विजानीगात्पुत्रं पाथमकल्पिकम् ॥ '' इति । एवं च सूद्रापुत्रस्य द्विविधस्यापि तल्लक्षणानाकान्तत्वात्पृथगुक्तिः । अत एव मूर्थावसिकादी-नामौरसेष्वन्तर्भाव इति विज्ञानेश्वरेणोकम् । सूद्रापुत्रस्त्वौरसोऽपीत्यत्र तु स यौगिको न तु स्रढः -केषांचित् गणनाकरणे बीजं तु कृत्स्नथनहारित्वाभावादेव । मूल्ठेन तु चतुरित्यादिना क्षत्रियापुत्रादि-वत्तस्य कथनं प्राक् इतमेव । मनुनाऽपि पूर्वं पुत्रिकापुत्रस्य दौहित्र एव च हरेदि्त्यादिना कथना-१० तत्रानुक्तिरिति न न्यूनता । सर्वथा ततः पुत्राधिक्यलाभान दाद्शत्वं नियतम् ।

अत एव " ननु क्षेत्रजाद्यपेक्षया पुत्रिकापुत्रस्य पुत्रत्वेनाधिक्ये द्वाद्शसंख्यातिरेक आमोति । भवतु को दोषः त्रयोद्शोऽयं पुत्रोऽस्तु '' इति मेधातिथिना व्याख्यातम् । अत एव विज्ञानेश्व। रेण ' भ्रातृणामि'त्यस्य तथा व्याख्याने संख्याविरोधरूपदोषोद्भावनं न कृतम् । अत एव च **बृहस्पतिः,** "पुत्रास्त्रयोद्श प्रोक्ता मनुना येऽनुपूर्वशः । सन्तानकारणात्तेषामौरसः पुत्रिका तथा ॥

- १५ "आज्यं विना यथा तैलं सद्भिः प्रतिनिधिः स्मृतम् । तथैकाद्श पुत्रास्तु पुत्रिकौरसयोर्विना''।।इति । एवं च तत्र तत्र द्वाद्शत्वोकिस्तत्र तत्र परिगणितानां स्फुटतया संख्याबोधनद्वारा न्यूनत्व-ंव्यवच्छेदनार्था, नाधिक्यव्यवच्छेदार्था।तत्रान्येषां यथासंभवमन्तर्भावमभिपेत्य वेति न दोषः। अन्यथा तेन तत्र तस्य गणनात्तस्यान्यत्रागणनान्मिथो विरोधः स्पष्ट एव । एवमेवकारोऽपि वासिष्ठो योज्यः । तस्मात्तदाधिक्ये न दोषः ।
- एतेन कौस्तुभोक्तं तहूषणं निरस्तम् । द्वितीयदूषणमपि प्रागेव निरस्तप्रायम् । एवं च २० सपत्नीपुत्रस्यागृहीतस्यापि पिण्डद्गानाद्यधिकारित्नात्पितृपत्न्य इत्यादिशास्त्राल्लोकव्यवहाराच पुत्रत्वं निर्विवादं तथा तत्र तत्सहपाठात् भ्रातृसुतस्याप्यगृहीतस्यैव पुत्रत्वं विधीयते इत्युचितम् । मनुप्रन्थेऽपि तस्य तथाबोधकं वाक्यान्तरमस्ति । एवं च तद्तिदिष्टस्य वित्तालाभेऽपि तत्राधिकारो यथा तथा तद्तिदेशविषयाणां पत्न्यादीनामन्याभावे तस्य निर्धनत्वे धनलाभं २५ विनाऽपि श्राद्धाधिकारः ।

एवं च विष्णुवाक्ये पुत्रशब्देन सर्वविषपुत्रो गृह्यते । तत्र अतिदेशवाक्यानि तु—" अपुत्रा पुत्रवत् पत्नी " इत्यु**राना ।** 

" यथैवात्मा तथा पुत्रः पुत्रेण दुहिता समा । " इति मनुः । ( अ. ९ । १३० । " बह्वीनामेकपत्नीनामिति, " (श्लो. १८३)

३० ''पितेव पालयेत्युआन् ज्येष्ठो आतून्यवीयसः । पुत्रवचापि वर्तेरन् ज्येष्ठे आतरि धर्मतः॥'' (श्लो.१०८) " यो ज्येष्ठो ज्येष्ठवृत्तिः स्यान्मातेव स पितेव सः।" (११०) इति च। इत्यादीनि बोध्यानि। तद्यं निर्गिलितोऽर्थः । तत्रादौ दायग्रहणकमः । औरसपुत्रस्तत्पुत्रस्तत्पुत्रः । तत एका-दश पुत्रिकापुत्रादयः पूर्वपूर्वाभावे कमेण । एवं तत्पुत्राद्योऽपि । अत एव---

मनुशंखलिखिताः, ( मनु. ९ । १८४ )

३५ ' श्रेयसः श्रेयसोऽलाभे पापीयान् रिक्यमहीति । बह्वश्रेतु सट्टशाः सर्वे रिक्थस्य भागिनः ॥ '' इति ।

तद्भावे पत्नी । ततो दुहिता । ततो दौहिनः । ततो दौहिनी । ततः पिता । ततो माता ततो भाता । ततो भगिनी । ततस्तयोः क्रमेण सुतः सुता च । ततो गोन्नजाद्य इति ।

पिण्डदानादो त्वेवं कमः । औरसपुत्रः । तद्भावे पुत्रिकापुत्राद्य एकादशकमेण । ततः पात्रः । प्राप्तेत्रश्च तथा । ततः पत्न्याद्सिक्तेऽपि भ्रावृसुतः । ततो भ्राता । ततः पिता । ततो दौहितः । ततः पत्नी । ततो दुहिता । ततो गोत्रजाद्य इति ।

इदमपि पुंतिषये । स्नीविषये तु अनुदायाः पिता । तदभावे भ्रात्रादिः । उदायास्तु मुख्यपुत्रा-भावे पुत्रिकापुत्रः । तदभावे सपत्नीपुत्रः । तदभावे क्षेत्रजाद्याः प्रपौत्रान्ताः । तदभावे पतिः । तदभावे दुहितृद्गोहित्रो क्रमेण । तदभावे पत्युर्भाता । तदभावे तत्पुत्रः । तदभावे स्नुषा । तदभावे पितृभातृतत्पुत्रद्भयः पूर्वोक्ता इति बोध्यम् ।

एतेन " पुत्रपौत्रप्रपौत्राभावे भार्या । तद्भावे भाता । तद्भावे तत्पुत्रः । भ्रातुर्भ्रातेति वच- १० नात् " इति मिश्राद्युक्तमपास्तम् ।

एवं सित आतृसुतेनोक्तफलिस्दाविष पत्न्यादितः गाक् मदीयपिण्डदानिरिक्थग्रहणोभयाधि-कारी कश्चित् भवेदिति कामनायां तदर्थ जीवतो वाक्यादिकरणार्थं नामसङ्कीर्तनार्थं च दत्तकस्वी-कारः । अपुत्रेणैवेत्यत्र तु पुत्रपदं मुख्यौरसपरम् तत्त्यागे मानाभावात् । प्रतिनिधिपद्समभिन्याहारेण तथैव लाभात् । आतिदेशिकपुत्रत्वस्य पत्न्यामि सत्त्वेन तदापि तद्गहणानापत्तेश्व । तत्र पौत्रादे- १५ हपलक्षणमित्यन्यत् । तत्रापुत्रत्वं मृतपुत्रत्वमजातपुत्रत्वं वा ।

" वन्ध्या वा मृतपुत्रा वा पुत्रार्थे समुपोष्य च '' इति **शौनकोक्तेः।** 

एवेन तादृशपुत्रवतोऽनधिकारः सूचितः । अत एव 'नामसङ्कीर्तनाय चेति ' मन्यादि-भिरुक्तम् । तत्त्वरूपं तु मन्वादिभिरुक्तम्, (अ. ९ । १६८)

" माता पिता वा द्यातां यमद्भिः पुत्रमापदि । सदृशं पोतिसंयुक्तं स ज्ञेयो द्त्रिमः सुतः ॥" इति । २०

अत्र वाशब्दः समुच्चये। 'वा स्यादिति ' कोशात्। यद्दा तयोरन्यतरम्रहणानेकत्वार्थः सः। चं विनापि गामश्विमितिवत् पूर्वत्र समुच्चयो बोध्यः। अभ्यहितत्वात्पूर्वे तदुक्तिः। अदिरित्यनेन अन्य-त्रोक्तविधिनोदकपूर्विमित्यर्थकेन अन्यथादत्तस्य अतत्त्वं सूचितम्। अत एव—

" अविधाय विधानं यः परिगृह्णति पुत्रकम् । विवाहविधिभागं तं न कुर्याद्धनभाजनम् ॥ ''

इति वृद्धमनुः । परिग्रहविधि विना परिगृहीतस्य विवाहमात्रं कार्यं न धनदानं, किन्तु तत्र पत्न्याद्य एव धन-

परिग्रहविधि विना परिगृहीतस्य विवाहमात्र कार्य न धनदान, किन्तु तत्र पत्न्याद्य एव धन-भाजः पिण्डदाश्च । विधि विना तस्य पुत्रत्वानुत्पादात् ।

अत एव शृद्धियोदिहाः,

" स्वगोत्रेण कृता ये स्युर्वत्तकीताद्यः सुताः । विधिना गोत्रतां यान्ति न सापिण्ड्यं विधीयते ॥ " इति। " सपिण्डता तु सर्वेषां गोत्रतः साप्तपौरुषी । "

इति मनूक्तं साप्तपौरुषं सापिण्ड्यं न विधीयते किन्तु प्रवराध्यायप्रसिद्धं निपुरुषमित्यर्थः । इदं च ब्यासुष्यायणदत्तकादिविषयमेव ।

वस्तुत इदं निर्मूलमेवेति स्वष्टं सापिण्ड्यप्रदीपे । अत एव " मात्रा भर्त्रनुज्ञया प्रोषिते भेते वा भर्तिरि पित्रा वोभाभ्यां वा प्रतिग्रहीतृसवर्णो विधिना सवर्णाय यस्मै दीयते स तस्य द्त्तकः पुत्र " इति विज्ञानेश्वरेण व्याख्यातम् (मि. पृ. ८८ पं. २१-२३)। अत एव—

" वंध्या वा मृतपुत्रा वा पुत्रार्थं समुपोष्य च।"

इति **राौनकीये** अविशेषश्चृतिसङ्कातिः । "आपदि प्रतिग्रहीतुरपुत्रत्वे " **इत्यपरार्कः ।** दुर्भिक्षादौ वा । "आपत्रहणाद्नापदि न देयः । दातुरयं प्रतिषेधः " इति विज्ञानेस्वरः (मि. पृ. ८८ पं. २४–२५)।

अत एव **कात्यायनः**—

" आपत्काले तु कर्तव्यं दानं विकय एव वा । अन्यथा न प्रकर्तव्यमिति शास्त्रविनिश्चयः " ॥ इति ।

सादृश्यं न जातितः, किन्तु कुलानुरूपैर्गुणैः । एवं च क्षत्रियादिरपि ब्राह्मणस्य द्त्तको युज्यते इति मेधातिथिः । जातित एव सादृश्यम् । अत एव 'सजातीयेष्वयं प्रोक्त ' इति मूलं सङ्ग-च्छते । कीतलक्षणसूतमनुवाक्ये तु तदुक्तमेव न्याख्यानम् । अत एव तत्र हि सदृशोऽसदृशोऽपि १० वेत्युक्तमित्यपरे । प्रीतिग्रहणं लोभभयादिप्रतिषेधार्थम् । तथा च तत् क्रियाविशेषणम् ।

किंच। एकः पुत्रो न देयः।

तथा च विसिष्ठः (अ.१५ सू. १३५) "शुक्रशोणितसम्भवो हि पुरुषो मातापितृनिमित्तकः। तस्य प्रदानिकिक्रयपित्यागेषु मातापितरौ प्रभवतः। न त्वेकं पुत्रं द्यात्पतिगृह्णीयाद्वा। स हि सन्तानाय पूर्वेषां । न तु स्त्री पुत्रं द्यात्पतिगृह्णीयाद्वाऽन्यत्रानुज्ञानाद्धर्तुरिति ''।

१५ एवं च पत्न्याः पतिसत्त्वे तद्नुमत्यैव दातृत्वादि । मृते तु स्वातन्त्र्यम् ।

न च रक्षेत्कन्यामिति पूर्वाध्याये स्त्रीणां विहिते कर्मणि स्वतन्त्राधिकारनिषेधकमुक्तमिति कथ मेतिद्गिति वाच्यम् । पूर्त्तादौ तासां स्वतन्त्राधिकारस्मरणात् । तस्य तद्रक्षणमात्रतात्पर्यकत्वात् । धन-स्वामित्वप्रतिषेधकमपि न तत् । 'पत्नी दुहितर 'इत्यादिना तासामपि रिक्थग्राहित्वस्मरणात् । तिन्निषेधे सहाधिकारस्याप्यसम्भवात् । न च स्थावरे तस्या अनधिकारः,

२० " यद्दिभक्ते धनं किञ्चिद्गध्यादि विविधं स्मृतम् । तज्जाया स्थावरं मुक्त्वा लभते मृतभर्तृका ॥ " वृत्तस्थाऽपि कृतेऽप्यंशे न स्त्री स्थावरमर्हति । "

इति बृहस्पतोरिति वाच्यम् । अस्य वचनस्य जायापदोपेतस्य पत्नीभिन्नासुरादि्विवाहोढा-विषयत्वेन निबन्धेषु व्यवस्थापनात् । दुहितृरहितपत्नीपरिमदम् " दुहितृमती तु स्थावरमपि लभते " इति स्यृतिचन्दिकायाम् । " दायादानुमतिं विना स्थावरविक्रयादि्निषेधपरिमति" माधवः ।

२५ यत्तु कात्यायनः—

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"मृत्ते भर्तिरि भन्नीशं लभेत कुलपालिका । यावज्जीवं न हि स्वाम्यं दानाधमनविकये ॥"

इति, तत् बन्दिचारणाद्यर्थदानादिनिस्तताप्रतिषेधपरम् । अदृष्टार्थदानतदुपयोग्याधमनादि तु भवत्येव ।

"जङ्गमं स्थावरं सर्वे हेमरूप्यं रसाम्बरम् । आदायदापयेच्छ्राद्धं मासवाण्मासिकाब्दिकम् ॥ "पितृव्यगुरुदौहित्रान् भर्तुः स्वसीयमातुलान् । पूजयेत्कव्यपूर्ताभ्यां वृद्धांश्चाप्यतिथीन् स्नियः॥" इति प्रजापतेः ।

''सौदायिके सदा स्त्रीणां स्वातन्त्र्यं परिकीर्तितम् । विक्रये चैव दाने च यथेष्टं स्थावरेष्वपि '' इति नारदोक्तेश्च । एवं च पत्नीति मूलवाक्यं पत्नीपदोक्त्या स्थावरसहितसकलरिक्थग्रहण-परिमिति पागुकं युक्तमेव ।

"क्रयक्रीता तु या नारी न सा पत्नी विधीयते। न सा दैवे न सा पित्र्ये दासीं तां कवयो विदुः॥"
इति स्मरणात्। भर्तृदत्ते तु स्थावरे न स्वातन्त्र्यम्। "भर्त्रा प्रीतेन यहत्तमिति" नारदोक्तेः।
(अ. १। ३८।) एतेन पुत्रमतिग्रहे विधवाया नाधिकार इत्यपास्तम्।

एवं तस्यापि तद्नुमत्यैव तत् । अत्यन्तापदि तु तद्नुमत्यलाभे स्वातन्त्र्यमपि । प्रागुक्ततित्या तस्य प्राधान्यात् । तथा, अनेकपुत्रसद्भावे ज्येष्ठो न देयः । 'ज्येष्ठेन जातमात्रेणेति ' तस्यैव
पुत्रकार्यकरणे मुख्यत्वात् । स च भ्राट्रसुतसम्भवेऽन्यो न बाह्यः । प्रागुक्तषाष्ठन्यायात् । तस्य
प्रतिङ्कल्ले तु सपिण्डाद्किमेणान्योऽपि बाह्यः । तत्रापि द्विजे भागिनेयदौहित्रवर्जम् । विरुद्धसंबन्धापत्या पुत्रत्वं बुद्ध्यनर्हम् । भ्रातृपितृव्यमातुलवर्जं च । सुद्दे तु भागिनेयदौहित्रावपि ।
"ब्राह्मणानां सपिण्डेषु कर्तव्यः पुत्रसंबहः । तद्भावेऽसपिण्डेषु अन्यत्र तु न कारयेत् ॥
"ब्राह्मणादित्रये नास्ति भागिनेयः सुतः कचित् । दौहित्रो भागिनेयश्च सुद्राणां वाऽपि दाप्यते ॥ "
इति——

"नैकपुत्रेण कर्तव्यं पुत्रदानं कदाचन । बहुपुत्रेण कर्तव्यं पुत्रदानं प्रयत्नतः ॥ ''

इति च शोकनः । अत्र नैकपुत्रेणेत्येव सिद्धे बहुपुत्रेणेत्युक्तया द्विपुत्रेणापि न कार्यमिति सूचितमिति कश्चित् । तन्न । तस्य सर्वथा निषेघोऽस्य तु तदावश्यकत्वमित्येतद्र्थे तदुक्तेः । अत एव तत्र कदाचनेति अत्र प्रयत्नत इति चोक्तं स्वरसतः सङ्कच्छते । एवं च तस्य तद्विधिनिषेघोभया-विषयत्वेऽपि वचनान्तरादापदि दाने न दोष इति बोध्यम् । न च प्रतिकूलत्वादेस्तत्त्वं क्वापि न दृष्टिमिति वाच्यम् । ऋष्यगृङ्कोक्तावानुकूल्याद्वा पुत्रस्येत्युक्तत्वात् ।

" अपुत्रा योषितश्चैषां भर्तव्याः साधुवृत्तयः । निर्वास्या व्यभिचारिण्यः प्रतिकूलास्तथैव च ॥" इति योगीश्वरोक्तेः । ( अ. २ । १४२ )

" पितृद्दिट् पतितः षण्ढो यश्च स्यादौपपातिकः । औरसा अपि नैतेंऽशं लभेरन् क्षेत्रजाः कुतः॥" इति नारदाच । अ. १३ । २१ )

अत एव "एक एवीरस " इति " षष्ठं तु क्षेत्रजस्यांशम् " इति च मनुवाक्यं द्त्तकादे-रीरसप्रतिङ्कल्वानिर्भुणत्वाभिपायेण व्याख्यातं विज्ञानेश्वरेण (मि. पृ. ८९ पं ३१)।

किं च । जीवतो वाक्यादिकरणरूपफलासम्भवस्ततः । एवं चैकस्मिन्नौरसेऽन्यस्मिन्वा ऽताहरो सित अन्येऽपि बाह्या यावतोक्तफलसंपत्तिर्भवाति।अत एव विश्वामित्रादीनां पुत्रवतामपि देव-रातादिपुत्रपरिश्रहः श्रौतादिः सङ्गच्छते । किं च । तस्य स्वयंदत्तत्वेनाद्त्तकत्वम् । अत एव परेच्छया तद्द्वीकारो न तु स्वस्य तद्र्थे प्रवृत्तिः । एवं च तत्र तथैव । अत एव बहुच्चब्राह्मणे—

" यथैवाङ्किरसः समुपेयां तव पुत्रताम् । '' इत्यादिनाः

" अधीयत देवरातो रिक्थयोरुभयोर्ऋषिः '' इत्यन्तेनोक्तम् । पतेन ''पुत्रवतोऽपि पुत्रानुज्ञया पुत्रान्तरपरिग्रहः ।

" यजः पिता संजानीते तस्मिस्तिष्ठामहे वयम् । पुरस्तात्सर्वे कुर्महे त्वामन्वश्चो वयं स्मसि गा इति श्रोतिलिङ्गात् " इत्यपास्तम् ।

उक्तयुक्तेः । तस्य ज्येष्ठीकरणे लिङ्गलाच । अत एव--

ч

" वत्सावते त्वपुत्राय वसुदेवः प्रतापवान् । अद्भिर्द्दी सुतं वरिं शौरिः कौशिकमौरसम् ॥

" कण्डुषाय त्वपुत्राय विष्कक्सेनो ददौ सुताम् "।इति हरिवंशे ।

रामायणेऽयोध्याकाण्डे सीतां प्रति श्रीरामानुशासने षड्विंशे च--

- " औरसानपि पुत्रान् हि त्यजन्त्यहितकारिणः । समर्थान्संप्रगृह्णन्ति परानिपि नराधिपाः " ॥ इति । तत्रैव कैकेयीवाक्यं द्शरथं प्रति—
- " तवैव वंशे सगरो ज्येष्ठपुत्रमुपारुधत् । असमञ्ज इति ख्यातं तथाऽयं गन्तुमर्हति ' ॥ इति । तत्रैव सप्तोत्तरशततमे भरतं पति श्रीरामवाक्यम्,
- " एष्टव्या बहवः पुत्रा गुणवन्तो बहुश्रुताः । तेषां वै समवेतानामपि कश्चित् गयां वजेत्" ॥ इति ।
- " एष्टत्या बहवः पुत्रा यद्येकोऽपि गयां वजेत्। यजेत वाऽश्वमेधेन नीलं वा वृषसुत्सृजेत्"॥ इत्यन्निः।
- १० एवं च विधेयविशेषणमप्येकत्वं पुत्रमितिनिधिरित्यत्राविवक्षितम् । श्रेयांसं न प्रबोधयेदित्यादौ तन्मर्यादाया उद्घंषितत्वाच । एतेन ''षुरोहितं वृणीतेऽध्वर्युं वृणीत '' इत्यादाविव पुत्रमित्रमहिषधाविष प्रतिगृहीतस्य पुत्रकार्ये उपादेयतया तद्गतपुंस्त्वेकत्वयोविवक्षा तेनैक एव पुमानेव च बाह्यः '' इति मतमपास्तम् ।
  - " श्रेयसः श्रेयसोऽलाभे पापीयान् रिक्थमर्हति । बहवश्र्वेतु सदृशाः सर्वे रिक्थस्य भागिनः ॥ "

१५ इति **मनुः**। (अ. ९।१८४) औरसादीनां सर्वेषां पुत्राणां प्रकृतत्वात् औरसादीनुपक्रम्य तेषां पूर्वः भ्रेयान्स एव दाय-

आरसादीना संवषा पुत्राणा प्रकृतत्वात् आरसादानुपक्रम्य तथा पूवः थ्रवः श्रयान्स एव दाय-हरः स चान्यान्बिभृयादिति विष्णुवचनादौरसादीनां पुत्राणां पूर्वपूर्वाभावे परः परो रिक्थमहीति, पूर्वसद्भावे तु परसंवर्द्धनं स एव कुर्यात्, तद्प्यपवादेतरिषयम् ।

यदि तु समानरूपा बहवः पुत्रास्तदा सर्वे एव विभज्य धनं गृह्णीयुरिति तद्धाख्यातारः । २० इदं च नौरसपरम् । '' एक एवौरसः पुत्रः '' " उर्ध्वे पितुश्च मातुश्च '' इत्यादिनैव तद्विभागोक्तेः । िकं तु गौणानेकपरम् । अनेन च दत्तकवत् कृत्रिमस्यापि सिद्धिरथेभेदेन । न च— '' द्त्तौरसेत-रेषां तु पुत्रत्वेन परिग्रहः'' । इति शौनकेन पुत्रान्तरस्य कलौ निषेधात् कथं कृत्रिमसिद्धिरिति वाच्यम् । द्त्तपदेन तस्याप्युपलक्ष्यत्वात् ।

" औरसः क्षेत्रजश्चेष दत्तः कृतिमकः सुतः । '' इति किलिधर्मप्रस्तावे पराशर-२५ स्मरणात् । न चैवं क्षेत्रजस्यापि तदापत्तिः । नियोगनिषेधेनैष तिनिषेधात् । तत्र क्षेत्रज इति तु औरस-षिशेषणम् । यदि तु तत्र क्षेत्रजवत् कृतिमक इति दत्तस्य विशेषणममुख्यत्वसूचनद्वारा पतिनिधित्वसूचकं तदा माऽस्तु सः, दत्तकांशे तु न विवाद् इति दिक् ।

स चायं दत्तको द्विषिः । अद्यामुण्यायणो द्वामुण्यायणश्च । तत्राद्यो ''माता पिता वेति '' ''गोत्रिरिक्थे'' इति च मनूकः । यः इतोपनयनो दत्तः प्रतिप्रहीत्रा च तद्वत्तरिवाहादिसंस्कारैः संस्कृतः ३० सद्यामुण्यायणः । तत्त्वं च तच्छाखाद्वयगोत्रद्वयभागित्वमेव। एवं यः सोपाधिकदानेन दत्तः प्रतिप्रहीत्रा जातकर्मादिभिः संस्कृतः सोऽपि तथा । तत्र प्रतिप्रहकाले या विद्यमनैकाऽनेका वा सा मुख्यमाता । तदीय एवैकोऽनेके वा मातामहाः । एकासत्त्वे तत्प्रतिग्रहे ततोऽन्यापरिणये सा सापत्नमाता । न तु तदीयमातामहाः । एवं तदा कस्या अप्यभावे ततः परिणयेऽपि कोष्यम् ।

एवं क्षेत्रजोऽपि द्विविध इति प्रागुक्तम् । एवं च पूर्वोक्तं युक्तमेव । अत एवेकीरससत्त्वेऽपि ३५ ऋतौ पुनर्गमनम् । अन्यथा तद्पि न स्यात् । अत एव---

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- " देवराद्वा सपिण्डाद्वा स्त्रिया सम्यङ्नियुक्तया । प्रजेप्सिताऽधिगन्तव्या संतानस्य परिक्षये ॥
- " विधवायां नियुक्तस्तु घृताक्तो वाग्यतो निशि । एकमुत्याद्येत्पुत्रं न द्वितीयं कथंचन ॥
- " द्वितीयमेके प्रजनं मन्यन्ते स्त्रीष्ठ तिहेदः । अनिर्वृत्तं नियोगार्थे पश्यन्तो धर्मतस्तयोः ॥ "

इति क्षेत्रजपकरणे मनुः। (अ. ९।५९।६०।६१)

" अत्रेप्सितेत्युक्तिःकार्यक्षमपुत्रात्यत्तौ पुनर्गमनार्थो । अत एव " अर्थद्रव्यविरोधेऽथौं द्रव्या-भावे तदुत्पत्तेर्द्रव्याणामर्थशेषत्वात् " ( जै. मी. ६।२।१९) इत्यधिकरणे यदा पुनरतितनुत्वाभियो-जनस्याप्ययोग्या खिद्रता भवित तदापि किं मुख्यत्वात्सैवोपादेया, न हि तयोपात्तयाऽपि कश्चिद्र्यः कार्यक्षमत्वात्, अतस्तादृशे लब्धेऽपि तद्नाद्रेण प्रतिनिधिरेव कद्रः कार्यक्षम उपाद्येय इत्युक्तम् ।

अन्ये पुनराचार्यनियागात्पुत्रोत्पाद्नविधिज्ञा अपुत्र एकपुत्र इति शिष्टपवादाद्निष्पन्नं नियोग-प्रयोजनं मन्यमानाः स्त्रीषु पुत्रोत्पाद्नं द्वितीयं धर्मतो मन्यन्ते '' इति तद्धाख्यातारः । तस्मात्त- १० त्रैकत्वं यदि विवक्षितं स्यात्तर्हि तद्सङ्कृतिर्निषेधासङ्गातिश्च स्पष्टैवेति बोध्यम् । अत एव बहुपुत्र-त्वविधिः ।

एतसुपपरमगामध्यासिषं तस्मान्मम त्वमेकोऽसीति ह कौषीतिकिः पुत्रसुवाच रश्मीस्त्वं पर्यावर्तय बहवो वे ते भविष्यन्तीति छ दोगाः । अस्य चायमर्थः कौषीतिकिनीम सुनिः स्वयमा-दित्यमण्डलमेक एवोपासीन उद्गानं कृत्वा तत्फलत्वेन पुत्रमेकं प्रतिलभ्य तसुवाच " अहमेतमेकमे- १५ वादित्यमध्यासिषं ध्यानमकार्षे तस्माहोषान्मम त्वेमक एव पुत्रोऽसि एकपुत्रत्वं च न प्रशस्तम्, अतस्त्वं बहुपुत्रतायै रश्मीन्बहूनुपास्तिवेलायामावर्तय " इति । महाभारतमापि पागुक्तम् ।

" इमां त्वमिन्द्र मीह्वः सुपुत्रां सुभगां कृणु "

'' दशास्यां पुत्रानाधेही '' त्यादिमन्त्राश्चेवं सति बहुपुत्रत्वविधिमुपोद्वलयन्ति । एवं च---

" ऋतुकालाभिगामी स्यात् यात्रत्युत्रोऽभिजायते । "

इति कौर्म तादृशपुत्रपरतया योज्यमिति न विरोधः । अत एव---

'' याहरां फलमाप्रोति कुप्लवैः सन्तरन् जलम् । ताहरां फलमाप्रोति कुपुत्रैः सन्तरंस्तमः ॥'' इति मनुः । (अ. ९ । १६१ )

" ज्येष्ठेन जातमात्रेणेति " मनोरनुशिष्टत्वरूपज्येष्ठत्ववत्तया जातमात्रेणेत्यर्थाद्पि न तद्दि-रोधः । एवमन्यत्रापि यथासम्भवं बोध्यम् ।

मेधातिथिना तु " उत्पन्नमात्रेण ज्येष्ठेन संस्काररहितेनापि मनुष्यः पुत्रवान्भवति । ततश्व मापुत्रस्य लोकोऽस्तीत्यलोकता परिहृता । तथा ' प्रजया पितृभ्यः ' इति श्रुतेः ' पुत्रेण जातमा- केण पितृणामनृणश्च ' इत्युक्तम् । यस्मिनृणामिति तु साधारणम् । अत एव तत्र " यस्मिन् जाते ऋणं शोधयति येन जातेनामृतत्वं च प्राप्तोति । तथा च श्रुतिः " ऋणमस्मिनिति " । स एव पितुर्धमेण हेतुना जातः पुत्रो भवति । तेनैकेनैव ऋणापनयमायुपकारस्य कृतत्वात् । इतरांस्तु ऐच्छि- ३० कान्मुनयो जानन्ति " इति तेनोक्तम् । सुत्रह्मण्याह्वानं तु न प्रतिनिधिना किन्तु मुख्येनैव । " न स्वामित्यस्य भार्यायाः पुत्रस्य देशस्य कालस्याग्रेर्देवतायाः कर्मणः शब्दस्य च प्रतिनिधिति " सत्याषाहोक्तेः।

जन्मज्येष्ठेन चाह्नानं सुब्रह्मण्यास्विप स्मृतम् । यमयोश्चेव गर्भेषु जन्मतो ज्येष्ठता स्मृता ॥ "

इत्यौरसप्रकरणे मनूकेश्व (अ. ९।१२६)। मेधातिथिना अपि तथैव व्याख्यातम्। सत्याषाढोक्तेः तन्तवे ज्योतिष्मतीं तामाशिष इत्याशीराशासनमपि तमादाय न। अत एव श्रुतिः, "यस्य पुत्रो जातः स्यात्तन्तवे ज्योतिष्मतीमिति त्रूयादिति '' दिक्।

तस्मात्पुत्रातिदेशा अपि ये सोद्रश्रातृसुतसपत्नीपुत्राद्यस्तेऽपि वित्तलाभाभावे पितृव्यस्य सापत्नमातुश्च श्राद्धादिपुत्रकार्यकरणार्हाः । एवं कनीयानप्यग्रजस्याकिश्वनस्यापि ।

"अपुत्रस्य पितृव्यस्य श्राद्धादि पितृवद्भवेत्।" इति स्वृतेः । "ज्येष्ठो आता पितुः समः" इति च । " पितृपत्न्यः सर्वा मातरः " इति सुमन्तूक्तेश्च । मनुस्तूभयत्रोक्त एव ।

एवं पत्नीस्नुषाशिष्यादीनामपि बोध्यम् । "अपुत्रा पुत्रवत्यत्नी " त्यौशनसात् । भार्ष-१० पिण्डमि ' त्यादिप्रागुक्तेश्च । न चापुत्रपितृव्यादेः पत्न्यां भ्रातृसुते च सित कथं कार्यमिति वाच्यम् । उभयत्र पुत्रत्वितिदेशसाम्येऽपि समन्त्रकियाकृतभेदस्य पूर्वम् उक्तत्वात्तेन तत्पुत्रकर्तृकिश्चयाः प्राप्तावपि 'अतिदिष्टादुपदिष्टं बळीय ' इति न्यायेन भार्यापिण्डमित्यस्य साक्षादिधायकत्वेनान्येषां दुर्वळत्वेन तत्र पत्न्यैव कार्या क्रियोति सिद्धान्तात् । न चामन्त्रकत्वापत्तिः । न्यायसिद्धेऽथें प्रागुक्तः रीत्या संकल्प्यादौ समन्त्रकत्वेनाग्रे तथात्वापत्ताविष्टापत्तेः । अत एव 'भ्रातुर्भाते।ति ' प्रागुक्तवाह्य-१५ सङ्गतिरिति केचित् ।

परे तु 'भार्यापिण्डमिति ' तद्भाविषयमित्यादि प्रागुक्तमेवेत्याहुः । स्त्रियास्तु पत्या । भार्या-पिण्डमिति साक्षाद्विधेः । तद्भावे सपत्नीपुत्रेण । ' सर्वासामिति वचनादिति ' मिश्राद्यः । अत्रापि तत्त्वं परे त्वित्युक्तमेवेति बोध्यम् ।

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२० "यशेषु मन्त्रवत्कर्म पत्नी कुर्याद्यथा नूप । तथौर्ध्वदेहिकं कर्म कुर्यात्सा धर्मसंस्कृता ॥" इति स्कान्दात्तस्या अपि समन्त्रकियैवेति वाच्यम् । निवन्धाधृतत्वेन तत्रानाश्वासात् । तत्सत्त्वे वा पागुककात्यायनैकवाक्यतयाऽग्निदानमात्रपरत्वात् ।

एतेन "स्कान्दात्सर्वा समन्त्रकिकयेव । भविष्यपुराणादिकं त्वासुरादिविवाहोढाविषयम् " इत्यपास्तम् ।

२५ स्त्रीशुद्रस्थलेऽन्यत्रेष्टापूर्तादावित्थं प्रसिद्धतरम् । उक्तसुमन्तुवाक्यात्सपत्नीपुत्रे सति भर्त्तुरन्येषां च नाधिकारः । तथा च दौहित्रादितस्तस्य सापिण्ड्यिविशेषादेव बलवत्त्वम् ।

एवं दौहित्रभातृसुतसमवाये मृतस्य विभक्तत्वे दौहित्रस्य बलवत्त्वस्यांशहरणे सत्त्वेऽपि पिण्डादौ स एव बलवान् । अविभक्तत्वे तु भातृसुतानामेवांशहरत्वाद्पि ।

एवं भ्रातृतत्पुत्रसमवाये तस्य तत्त्वे भ्रातुर्वछवत्त्वात्स्वांशहरत्वेऽपि तत्र तथैव । पत्नीस्तुषादि-३० विषये वाक्यान्युक्तान्येव ।

किंच दंपत्योर्मिथः शरीरार्धत्वात्स्नुषादेः शरीरार्धोपचाराच्छिष्याचार्ययोस्तु पितापुत्रवदुप-चारात् । न हि दक्षिणः पाणिरितरस्य पाणेरुपचाराद्दिना ऽभ्यङ्कादि करोति । तस्माद्धनलाभं विनाऽप्ये-तेषां श्राद्धाधिकारः । अर्थहरत्वे तु सुतरां सर्वेषाम् । यस्त्वर्थमादायापि तच करोति स शास्त्रातिक्रम-कारिताहण्ड्यो निंदाः परलोकच्युतश्च । कुर्वतां तु सर्विमिष्टमेव ।

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ये तु धनलाभेच्छां विनैव कारुण्यात्स्नेहाद्दा कुर्वन्ति तेषामतिपुण्यम् । अकरणे च न प्रत्य-वायः । शास्त्रनियमाविषयत्वात् । तस्मात्पुत्राभावे एव सर्वेषां यथाक्रममधिकारः ।

#### तथा च व्याघ्रपात्-

"पितुः पुत्रेण कर्तव्याः पिण्डदानोद्किकयाः । पुत्राभावे तु पत्नी स्यादिति । "

''औरसे सित नान्यस्य श्राद्धादेरिधकारिता। तद्भावे तु शिष्यादेः शास्त्राणामेष निश्चयः॥" इति । यदि पुत्रे सत्यप्यन्येषामधिकारस्तदा पत्न्या किं पापमकारि, येनासौ न करोतीित शङ्का स्यात्। इयमेव हिंसा तेषां ऋष्यशृङ्किणोक्ता। तस्मात्तद्भावे एव पत्न्यादीनामधिकार इति सिद्धम् । तत्र पत्न्यंशेऽपवादः कचित्——

"अपुत्रा स्त्री यथा पुत्रः पुत्रवत्यि भर्तिरे। श्राद्धं पिण्डोद्कं कुर्योष्जलमकं तु पुत्रिणी ॥ "इति केचित्। १० वस्तुत इदं निर्भूलमिति बोध्यम् । अत्र सर्वत्र वाक्यान्यन्यान्यिप सन्ति । तत्र तावत्— बृहस्पतिः—

"प्रमीतस्य पितुः पुत्रेः श्राद्धं देयं प्रयत्नतः । ज्ञातिबन्धुसुहृच्छिष्यैर्ऋत्विग्भृत्यपुरोहितैः '' ॥ इति । प्रचेताः—

" स्वामिभृत्यकलत्रेषु मातापित्रोर्गुरौ तथा । ऋत्विङ्मित्रे तथा शिष्ये श्राद्धं कार्ये प्रयत्नतः'॥ इति । १५ वृद्धशातातपः—

"मातुलो भागिनेयस्य स्वस्रीयो मातुलस्य च । शिष्यश्चैव गुरोः सख्युः सखा मातामहस्य च ॥

" एतेषां चैव भार्याभ्यः स्वसुर्मातुः पितुस्तथा । श्राद्धदानं तु कर्तव्यमिति वेद्विदां स्थितिः ॥"

"पीत्या श्राद्धं तु कर्तव्यं सर्वेषां वर्णिलिङ्गिनाम्। एवं कुर्वेभरः सम्यक् महतीं श्रियमामुयात्॥ "रहति।

"पितुः पुत्रेण कर्तव्यं न कुर्वीत पिता सुते । अतिस्नेहान कर्तव्यं सिपण्डीकरणं स्त्रियः ॥"

"भ्राता वा भातृपुत्रो वा बन्धुर्वा शिष्य एव वा । सपिण्डीकरणं कुर्यात्पुत्रहीने नरे खग ॥ "

### इति गारुडं च।

"पुत्रः पौत्रश्च तत्पुत्रः पुत्रिकापुत्र एव च । पत्नी भ्राता च तज्जश्व पिता माता स्तुषा तथा ॥ " "भगिनी भानिनेयश्च सपिण्डः सोद्कस्तथा । असंनिधाने पूर्वेषामपरे पिण्डदाः स्मृताः ॥ "

इत्यन्यत्र चेत्यलमधिकविस्तृतेन । प्रकृतमनुसरामः ॥ १३५ ॥ १३६ ॥

### याज्ञवल्कीये १३७ श्लोकः।

व्यवहितसंगतिमव्यवहितेनासंभवादाह । पुत्रा इति । चेन प्रपौत्रसमुच्चयः। यद्यपि पौत्रप्रपौत्रयो-स्तन्त्वं पूर्वं नोक्तं तथापि तत्रैव क्रमो बोध्य इति अत्रैव प्रसङ्गोक्त्या सूचितस् ।

तथा च मनुविष्णू--( मनु. अ. ९। १३८)

"पुषाम्नो नरकाद्यस्मात्पितरं त्रायते सुतः। तस्मात्पुत्त्र इति भोकः स्वयमेव स्वयंभुवा " ॥ इति । १० हारीतोऽपि,

" पुनामा निरयः मोक्तिश्छन्नतन्तुश्च नैरयः। तत्रैव त्रायते यस्मात्तस्मात्पुत्र इति स्मृतः " ॥ इति । शङ्कादिरपि,

" पितृणामनृणो जायेत् दृष्टा पुत्रमुखं पिता । स्वर्गी स तेन जातेन तस्मिन्संन्यस्यते ऋणम् " ॥ इति।

मनुराङ्कालिखितवसिष्ठहारीता अपि (मनु. अ. ९ । १३७)

" पुत्रेण लोकान् जयित पौत्रेणानन्त्यमञ्जुते । अथ पौत्रस्य पुत्रेण वद्मस्यामोति विष्टपम् ''।। इति । " लोकानन्त्यं दिवः प्राप्तिः पुत्रपौत्रपपौत्रकैः । '' इति मूलं च । ( याज्ञ. अ. १ । ७८ )

अन्यान्यपि वचांसि पागुक्तानि । यद्यपि पौत्रांशे साक्षात्तत्त्वसाधकं मूलं मानवं च पागप्युक्तमेव तथापि पपौत्रांशे उक्तवचांस्येव साधकानि नान्यानि । उपकारकत्वांविशेषाद्पि तस्य तत्त्व-मिति बोध्यम् । कमेणेत्युभयत्र बोध्यम् ।

ं वानप्रस्थिति ' इन्द्रोत्तरपदको इन्द्रः। उत्तरार्धानुरोधेनैतमुक्तम्। तत्र तथोक्तिफलं तु व्याख्याने एवाग्रे स्फुटम् । 'क्रमेणे 'त्यस्य श्रुतक्रमेणेति नार्थः। तथा स्राते तद्वाक्तिं विनाऽपि शत्रुमित्यादिवही-१० किकस्थानाख्यप्रमाणेनैव तस्य सिद्धत्वात् । अत आह । प्रातिलोमेति । यद्यपि वानप्रस्थस्याचार्यः सम्भवति 'द्रीक्षितो गुरुणाऽऽज्ञातो दिशमुपनिष्कम्य 'इति शृद्धहारीयलिङ्गात् । ''तत्रैवं विधिवद्राजा प्रत्यगृह्णात्कुरूद्दह । स द्रीक्षां तत्र संप्राप्य राजा कौरवनन्दनः ॥ ''
"शतक्षाश्रमे तस्मिन्निवासमकरोत्तदा । तस्मै सर्वविधि राज्ञे राजा प्राह महामितः ॥ ''

इति भृतराष्ट्रस्य तक्ते भारताच । एवं च तत्र दिश्वियता यः स तदाचार्यः । यतेरिप १५ महावाक्योपदेष्टा सः । ''संन्यस्याचार्यमुपितष्ठित त्रह्माजिज्ञासायामिति '' शङ्कात् । एवं चाचार्यादि-चतुर्णो इन्द्वे क्रमेणेत्यस्याचार्यंक्रमेणेत्यर्थसम्भवः, आदावाचार्यादिस्ततः शिष्यस्ततो धर्मभ्राता तत एकतीर्थीति । अत एव शिष्यसब्रह्मेत्येकवाक्यता । 'वानप्रस्थधनमाचार्यो गृह्णीयाच्छिष्यो वेति ' विष्णुसङ्गतिश्व, तथापि वानप्रस्थस्य ब्रह्मचारिणश्च शिष्याभावाच्या व्याख्यानस्यात्रासम्भवः । वैष्णवे तु वानप्रस्थेति तयोरप्युपलक्षणम् । चार्थवाशब्देन इयोर्ग्रहणम् । क्रमोऽयमेवेति गृद्धाशयः । २० एतेन तथा व्याख्यानं शङ्काबद्र्शनमूलकमित्युपक्ष्यामिति भ्राज्तीयमपास्तम् । अत एव तदुक्तिसङ्ग-तिरपीति दिक् ।

विशेषमाह । ब्रह्मोति । इद्मेव विशद्यति । उपकुर्वाणस्योति । स्वरीत्या आह । मात्रा-द्य प्रवेति । अन्यथा तस्य निर्विषयतापत्तेः अत एवास्योभयापवाद्त्वम् । अन्यथा ब्रह्मचार्यशे प्रथमापवाद्त्वासम्भवः स्पष्ट एवेति भावः । तद्पवाद्त्येगिति । मात्राद्गिहणापवाद्त्वेनेत्यर्थः । २५ अन्यथाऽस्य निर्विषयतापत्तेः । वैपरीत्यं तु न । प्रत्यासत्तितारतम्यात् ।

शिष्ये सत्त्वं न विद्यामानत्वं, विपरीतस्य ग्रहणस्यैवासंभवात् इत्यत आह। सचिछ्णध्यः पुनरिति। स त्वित्यर्थः। तत एव योग्यतयाऽऽह। अध्यात्मोति। शिष्ये सम्यक्त्वमुपलक्षणतयाऽन्यत्रापि
बोध्यम्। अतः अन्यापि सुवृत्तावेव धनभाजौ। अत एव मूलकृता उभयत्रापि तत्सम्बन्धद्योतनार्थं
' सच्छिष्येति ' मध्ये पठितम् इत्याशयेनाह। दुर्वृत्तस्येति। आदिनाऽश्रिमपरिग्रहः। अपिना
३० तस्यैव समुच्चयः।

यद्दा शिष्यंसत्त्वं नादुर्वृत्तत्वमात्रं, तथा सित आचार्यादेरिप दुर्वृत्तस्य भागानईत्वस्याविशिष्ट-त्वेन तस्यैव तत्त्वकथनासङ्कतेः । किं तु योग्यतयाऽध्यात्मश्रवणादिसमर्थत्वमित्याह । सच्छिष्ट्यः पुनिरित्यादिना भागानईत्वादित्यन्तेन ।

१ फ-उपकारकत्वात्, अविशेषाद्पि । २ ख-निदां च फ-क-निधं च । ३ ख-सत्वेन ।

धर्मभ्रात्रेकतीर्थीत्येकम् । अन्यथा यथासंख्यानापत्तेरित्याह । धर्मीति । तत्राद्यार्थमाह । प्रतिपन्न इति । भ्रातृत्वेनाङ्गीकृत इत्यर्थः । द्वितीयार्थमाह । एकाश्रमीति । वानप्रस्थ एव स्वाश्रमनिकट-वासीत्यर्थः ।

" तीर्थं शास्त्राध्वरक्षेत्रोपायोपाध्यायमन्त्रिषु । जलावतारे योनौ चेति '' विश्वायुक्तेः ।

नन्ववं धर्मभ्रातेत्येवालं, कृतमश्रिमेणेति चेच । आचार्यादीनामभावे तेषां सर्वेषां धनं को गृह्णी-यादित्याशङ्कानिरासार्थे तदुपादानात् । तथा च तत् पृथक् निमित्तं, न तु तेन समस्तामिति धर्मभ्रात्र-नेन इन्द्रसमासं कृत्वा पुनर्इन्द्र इति तत्सर्वान्वयीत्याशयेनाह । **एतेषामिति ।** 

मूलायुक्तत्वं राङ्कते । नन्वनंशा इति । भागश्चन्या इत्यर्थः । आश्चनाद्विति । गृहुस्थान् त्येत्यर्थः । ' प्रतिग्रहादीति ' आदिना याजनादि । अनिचय इति । असंग्रह इत्यर्थः ।

पूर्वपक्षिणा तृतीये विशिष्य असंभवात्तद्सम्भवो नोक्त इत्याशयेन तावत्तवाह । **वानप्रस्थ-** १० स्येति । अहः तन्मात्रभोजनपर्याप्तस्य । एवं सर्वत्र । **घणणां** मासानाम् । तथा तहत् । निचयं संग्रहम् । यतेरपीत्यस्याग्रेऽन्वयः । एवं श्रौतवचनमुक्त्वा स्मार्त्तवचनमाह । तथेति । योगेति । योगस्य सामग्रीविशेषानित्यर्थः । तत्पतिपादकग्रन्थादीनिति यावत् । ' आदिना ' पादुकाकमण्डल्वादि ।

'' कौषीनाच्छाद्नार्थं हि वासो वे विभृयाच सः। "इति पूर्वार्घपाठे काचित्के एकमेव वचनम्। यात्रा संरक्षणम् ॥ १३७ ॥

याज्ञवल्कीये १३८ श्लोकः।

प्राग्वत् पूर्वतो विशेषेणाह **इदानीमिति। उक्तस्य** तन्मात्रस्य। अत एवानयोः पौर्वा-पर्ये। आहेति। द्वितीयपादरहितेनेत्यर्थः। संमुष्टिशब्दं निर्वक्तुं संमुष्टशब्दार्थमाह। विभक्तमिति। पुनः विभागोत्तरम्। कर्मणि तत्र कः। मिर्श्राकृतमिति। 'संमुष्टं धनमुभयं समाकृतमिति ' भ्रुतेः। यदेकं सदुभौ याति तदुभयम्। विभक्तमिति यावत् । तत्समाकृतं साधारणीकृतं संमुष्टमिति २० तद्र्यः। एवं च प्रत्यासत्त्या ययोविभागस्तयोरेव मिश्रणे तत्त्वमिति नान्यविभागेऽन्येन मिश्रणे तत्त्व-मिति भावः।

पसङ्गात् विशेषमाह । संसृष्टत्वं चेति । तद्धनसंसर्गे तेषामि संसर्गः सम्पन्न एवेति भावः । सहयोगे तृतीया । यो विभक्तः सन् पुनः पश्चादित्याद्यर्थः । एकत्र गृहे । तत्र हेतुमाह । प्रीत्येति । तत्संसृष्ट इति । तेन संसृष्ट इत्यर्थः ।

अयं भावः । येषामेव हि पितृश्रातृपितृव्याणां पितृपितामहार्जितद्रव्येणाविभक्तत्वसुत्पत्तितः सम्भवति त एव विभक्ताः सन्तो मिथः पीत्या यदि पूर्वविभागनाशेन " यत्तव धनं तन्ममापि यन्मम धनं तत्त्वापि " इत्येवम् एकञ्च गृहे एकगृहिरूपतया संस्थितास्ते एव तथोच्यन्ते, न पुनरप्येवंरूपाणां तथाकारिणामपि संसर्गित्वम् । नापि विभक्तानां तथा तेषाम् ।

एवं च तत्सम्बन्धित्वमात्रादिनिरासेन पूर्ववत्साधारणोपभोग्यतापादनमेवैकत्र स्थितिः । तच्चो- ३० कानुमतिरूपमेव । सा च कचिद्दाचिनकी, कचिद्दनन्यथासिद्धव्यवहारगम्या ।

"अनुक्त्वाऽपि वचः किञ्चित्कृतं भवति कर्मणा।" इति विष्णुपुराणात्।
एवं चे त्रयनियम एव। मानवमप्युक्तरीत्या त्रितयपरमेव। अन्यथा भ्रात्मात्रविषयतेव
च तस्य स्यात् इति।

१ ख-एवं चायं नियम एव ।

" विभक्ता आतरो ये च संप्रीत्येकत्र संस्थिताः । पुनर्विभागकरणे ज्येष्ठत्यं तत्र न विद्यते ॥ " यदा कश्चित् प्रमीयेत प्रवजेदा कथञ्चन । न लुप्यते तस्य भागः सोद्रस्य विधीयते ॥ " या तस्य भगिनी सा तु ततोंऽशं लब्धुमहीते । अनपत्यस्य धर्मोऽयमभार्यापितृकस्य च ॥" इति बृहस्पतेराशयस्तुक एव ।

" एतेन पित्रादिगणनं पपत्रार्थं, नान्यपरिसंख्यार्थं, दोषत्रयापत्तेः । सामान्यतो मन्केर्बृह-स्पतेरनुपपत्तेश्चोतं '' आन्तोक्तमपास्तमिति ।

एवं पदार्थमुक्त्या मूलाबपादं ससाधारणोत्तरार्धे व्याचष्टे । तस्य संसृष्टिन इति । तत्र चस्त्वर्थे, मृतस्य तु । अंशमित्यस्य व्याख्या भागमिति ।

वचनान्तरिवरोधपरिहाराय तत्संभवं प्रतिपाद्यन् तद्र्थेन वाक्यार्थं पूरयित । विभागेति। समस्तो १० व्यस्तो वा पाठः । सित सप्तमी । जातस्येत्यस्यार्थमाह । उत्पन्नस्योति । शेषे षष्ठी । चोऽत्र एवार्थे । उत्पन्नाय पुत्रायेव नान्यस्मै । तत्र वाशब्द् एवार्थे । द्याद्व न स्वयं गृह्णीयात् । द्वितीयोऽपि वाशब्द् एवार्थे व्युत्कमे चेत्याह । संसृष्ट्येवेति । अपहरेदित्यस्य व्याख्या गृह्णीयादिति । जातस्येत्यायुक्त्या नेद्मिप प्राग्वदुभयापवाद्भूतं, किं तु पत्नीत्यादिमात्रापवाद्भूतम्, अन्यथा तद्संगिति । सपष्टेवेत्याश-येनाह । न पत्न्यादीति । अत्र मूले एकत्वमविविक्षितम् । अतस्तद्नेकत्वे विभज्य ग्रहणं, तत्पत्न्याः १५ पोषणं चेति भावः । अत एव तुस्तद्दैलक्षण्ये ।

एतेन **प्राचां** व्याख्यानाभिप्रायो निरस्तः । अयं भावः । यदा संसृष्टिनस्त्रिप्रभृतयः, तद् तेष्वेकिस्मिन्धातिर स्वभार्यायां गर्भमाधाय दिवं गतेऽविशिष्टानां जीवतामनेकत्वाद्ये ऐक्यासंभवाच्च विभागः प्राप्तः । एकत्वे ऐक्ये च विभागाभावात् । तत्र तत्र विभागकालेऽस्पष्टगर्भत्वेन गर्भाज्ञानेन विभागनिष्पत्तौ कालान्तरे पुत्रे उत्पन्ने तस्मै तित्पत्रंशो देयस्तद्भावे संसृष्टिव्यक्तिपर्यालोचनेनांश-२० कत्यनया संसृष्टिन एव ।

## १३८ श्लोकस्य ( उत्तरार्धः )।

संसृष्टित्यस्येति । पूर्वपादोक्तस्य द्वितीयपादेनेत्यर्थः । उत्तरार्धे तु साधारणमस्त्येव । अत एवाह । संसृष्टिनस्त्वित । तथा सति संपन्नं वाक्यार्थमाह । अतश्चेति । तद्नुवृत्तेरित्यर्थः । संसृष्टिनो मृतस्यांशं धनमिति पाठः । सोदरः स एव । अनु पश्चात् । अनेन विभागकालेऽस्पष्टगर्भायां २५ विभागोत्तरमिति स्चितम् । जातस्य सुतस्य । पूर्ववदेवेति । संसृष्टचेव गृह्णीयान्न पत्न्या-दीत्येवमित्यर्थः । एवं सति अस्य तद्पवाद्त्वमुक्तं नामाप्तिं विना न संभवतीति तद्र्थं विशेषविषय-तया विशद्यति । एवं चेति । उक्तसंबन्धेनेत्यर्थः । सोदरोति । उभयसंसर्गे इत्यर्थः ।

अत एव यमः--

" अविभक्तं स्थावरं यत्सर्वेषामेव तद्भवेत् । विभक्तं स्थावरं ग्राह्मं नान्योद्र्यैः कथंचन ॥ " इति । ३० **बृहन्मनुः**—

" एकोद्रे जीवति तु सापत्नो न लभेद्धनम् । स्थावरेऽप्येवमेव स्यात्तद्भावे लभेत वै ॥ " इति । प्रजापतिर्पि —

" अन्तर्धनं तु यद्रव्यं संसूष्टानां च तज्रवेत् । सूमिं गृहं च संसृष्टाः प्रगृह्णीयुर्यथांशतः॥ " इति ।

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ं संसृष्टी गृह्णाति स्थावरवर्जं स्थावराणां सपिण्डसमतोति ' वृद्धहारीतस्तु तथा योज्यः ॥ १३८॥

## याज्ञवल्कीये १३९ श्लोकः।

उत्तरसङ्गितिमव्यवहितेनाह । **इदानीमिति ।** संमृष्टिनीति । भिन्नोद्रेण सहेति भावः । वीक्षा-यामिति । विचारे समुत्पन्ने सतीत्यर्थः । जिज्ञासायां सत्थामिति यावत् । उभाभ्यां नियमाभ्याम् । उभयोरपि प्राप्तेरिति भावः । अत एवाह । विभज्येति । कारणं पूर्वनियमद्वयसूचितमेव ।

अन्योद्र्यं इत्यत्र वाक्यचतुष्ट्यं—विधिः, निषेधः, विधिः, निषेधश्चेति । प्रथमपादेन विधिमाह । अन्योद्र्यं इति । धनं हरेदित्यस्यापकर्षस्तदाह । धनिमिति । पूर्वतः संसृष्टिन इत्यस्यानुवृत्त्या संसृ-ष्टिनो धनिमित्यर्थः ।

अथ द्वितीयपादेन तृतीयपादाद्यार्थसिहतेन निषेधमाह । न पुनिरिति । न त्वित्यर्थः । अतो यनिष्पनं तदाह । अनेनिति । पूर्वार्थनेत्यर्थः । अन्ययेति । संमृष्टिनो भिन्नोद्रस्य धनहारित्विधि- १० रूपेणान्वयेन, असंमृष्टिनो भिन्नोद्रस्य धनहारित्विनिषेधरूपेण च व्यतिरेकेणेत्यर्थः ।

असंसृष्टीत्येतत् मध्यमणिन्यायेनाग्रेऽपि सम्बध्यते इति तृतीयपादेन पुनर्विधिमाह । असंसृष्टी-त्येतदिति । अतश्च तत्सम्बन्धाच । तद्नुवृत्तिः प्राग्वदेवेत्याह । संसृष्टिन इति । मूले वाशब्दः चार्थे इति भावः । न केवलमेतावदेवैकं वाक्यम् । अपि तु उत्तरपादाद्यपद्घटितं प्राग्वदेवेत्याह । कोऽ-साविति । तत्र संसृष्टार्थे पूर्वोक्तभिन्नमाह । संसृष्टः एकोदरेति । एकस्मिन्मातुरुद्रे जात इत्यर्थः । १५

यत्तु--एतत् पितर्यपि बोध्यम्, ''पतिर्जायां प्रविशति गर्भी भूत्वेह मातरम् । '' इति जायाया अपि मातृत्वस्य श्रोतत्वात् ।

एवं च पितुः पुत्रत्वेन सोद्रत्वे तद्भातुरिप तत्सोद्रत्वात्तत्वं बोध्यमिति असंसृष्ट्यिप पितां पुत्र एवेति ताहृशः सोऽसंसृष्ट्यिप पितुस्तद्भातुः परेतस्यान्येन संसृष्टिनो भागं हरेदिति तात्पर्यं संसृष्ट-पद्मयोगस्येति केचित् । तन्न । अनिष्टापत्तेः । तद्तेतत् ध्वनयनेवाह । सोद्र इति । यावदिति । २० अस्य तात्पर्यार्थमाह । अनेनेति । पादेनेत्यर्थः । असंसृष्टस्यापि, असंसृष्टिनोऽपि ।

प्राग्वदेवाह । संसृष्ट इत्युत्तरेणापीति । तत्र च नाव्यवहितोक्तोऽर्थः अपि तु प्रागुक्त एवेत्याह । तत्र चेति । उत्तरवाक्यशेषभूते संसृष्ट इत्यन्नेत्यर्थः । "अर्श आद्यनिति" (व्या. सू. ५।२।१२७) भावः ।

तुर्यपादं व्याख्यातुं प्रतीकं धत्ते । नान्येति । मन्वनुरोधेन सर्वे वाक्यमिति न्यायेनाह । २५ अत्रैवशब्देति । तथा तस्य तदेवाह । संसृष्ट्यपीति । इदं सर्वमनुवृत्तिलभ्यम् ।

उत्तरार्धस्य संपूर्णस्य तात्पर्यार्थं पूर्वप्रतिज्ञातमाह। एवं चोति। उत्तरार्धस्योक्तार्थकत्वे चेत्यर्थः। अवधारणाति। तिन्निषेधादित्यर्थः। असंसृष्टेत्यादि पाग्वत्। ' कृत्यानामिति' (व्या. सू.२।३।७१) कर्त्तिरि षष्ठी। तत्र हेतुमाह। द्वयोरपीति। एकैकस्येति। पागुक्तस्यैवेत्यर्थः। भिन्नोद्रस्य संसृष्टित्वं धनप्रहणे हेतुः, सोद्रस्य तत्त्वमेव हेतुर्न संसृष्टित्वमिति भावः।

उक्तं द्रदयति । एतदेवेति । मनुनेत्यस्य विभक्ता इत्यादि नद्तेत्यन्तं विशेषणम् । इति इत्यनेन । प्रक्रम्येति । सहजीवन्त इत्युक्त्या तत्प्रकम इति भावः ।

"समस्तत्र विभागः स्याज्ज्येष्टचं तत्र न विद्यते । " इति अस्योत्तरार्द्धम् ।

पूर्वे कथमपि विभागेऽपीदानीं सम एव विभागः । 'ज्येष्ठस्य विंश उद्धार ' इत्यायुक्तोद्धारो नास्तीति तदर्थः ।

येषामित्यादि मानवं व्याचिष्ट । रेप्पिटिस्ट दि । प्रक्रमादेवाह । संसृष्टिनामिति । भिष्य इत्यादिः । आद्यन्तयोक्तः न्यायसाम्याच मध्यमोऽप्युपलक्षणत्वेन वा विवक्षित इत्याशयेनाह । मध्यमो वेति । प्रदानपदोक्तेराधिक्यादाह । अंशप्रदाने इति । अत एव च तद्यपपत्तिमाह । सार्वेति । आद्यादित्वादिति भावः । तथा चांशस्य प्रदानं यस्मिनिति भावत्युडन्तेन व्यधिकरण-बहुवीहिणा कालो विवक्षित इति नाधिक्यं तस्येति भावस्तदाह । विभागेति । अर्थादाह । स्वांशा-दिति । ततो अंशे हेतुमाह । आश्रमान्तरेति । वानप्रस्थाद्रित्यर्थः । मौल्येव हानितो विकल्पमाह । सियेत वेति । अन्यतरोऽपीति शेषः । अन्यतम इत्यर्थः । उपात्तापेक्षया तथोक्तिः । अपिर्द्यादि-१० समुचये । अस्यैव तात्पर्यमाह । अत इति । अलोपादित्यर्थः । तस्यापि तात्पर्यमाह । न संसृष्टीति ।

सोदर्या इति मानवं व्याख्यातुमवतारयित । तस्योद्धृतस्येति । विनियोगमाहेति । द्वितीयश्लोकेन स एवेति भावः । भ्रातरो ये च संसृष्टा ? इत्युत्तरार्धे संसृष्टपदोत्त्याऽत्र तन्मात्रोक्त्या सोदरा असंसृष्टा ? अपीत्यर्थलभ्यासंसृष्टा अपीतिपदान्वयेन पूर्वार्धे व्याचष्टे । तिमत्यादिना । अपिना तेषां संग्रहः । तथा च साधारणमिदम् । आगमनस्याविधसाकांक्षत्वादाह । ये देशान्तरगता-१५ स्तेऽपि इति । 'देशान्तरगता अपीति ? पाठान्तरम् । सिहता इस्यस्य व्याख्या सम्भ्येति । मिलिलेत्यर्थः । समित्यस्य व्याख्या न न्यूनेति । उत्तरार्द्धार्थमाह । ये चेति । अत्र चोक्तेप्रीतर इत्युक्तेः पूर्वत्र सोदरा इत्युक्तेश्वाह । भिन्नोदरा इति । अन्यथा तद्देयर्थं स्पष्टमेव । सनाभयः सहोदर्यः । विभजेयुरित्यस्य व्याख्या विभज्योति । समिति अत्रापि बोध्यम् । क्वित्वत्रापि ततः पाक् तत्याठ एव । तस्य 'सोदर्या ? इत्यस्य ।

२० अत्र भिन्नोद्रा भ्रातरः समानजातीया बोध्याः । असमानजातीयभिन्नोद्रसंसृष्टिभ्रातॄणां तु चतुस्रीत्यायुक्तकमेण विभागः । समशब्दस्य भिन्नजातीयभ्रातृभिन्नसमानजातीयभिन्नोद्रभ्रातृविषय-त्वेनैव साफल्ये चतुन्नीत्येतद्वाधकत्वे मानाभावात् ।

#### बृहस्पतिरपि-

"संसृष्टानां तु यः कश्चिद्दियाशौर्यादिनाऽधिकम् । प्रामोति तस्य द्ातन्यो द्धांशः शेषाः समांशिनः ॥''इति । २५ द्धांशदानं तद्धिकधनप्राप्तौ शेयम् ।

> शंखोऽपि पाग्रुक्त एव, ' आत्रॄणामिति । ' नारदोऽपि— ( अ. १३ । २४ )

" संसृष्टानां तु यो भागस्तेषामेव स इष्यते । अतोऽन्यथाऽनंशभाजो निर्वीजेष्वितरानियात् ॥ " इति ।

कात्यायनोऽपि—— ;

भं मंमृष्टानां तु संमृष्टाः पृथक्स्थानां पृथक्स्थिताः । अभावेंऽशहरा ज्ञेया निर्वीजान्योन्यभागिनः॥''इति ।
 अतोऽन्यथा संमृष्टिनामभावे । निर्वीजेषु संतानरिहतेषु संमृष्टिषु तेषां भाग इतरानंशहरानि-यात् । अभावे पुत्रादेरंशहरस्याभावे ।

अत्रायं निष्कर्षः । भिनोद्रसंसृष्टिभ्रात्रभावे सोद्राणां मध्ये यः संसृष्टिसोद्रः स एव संसृष्टिनः सोद्रस्य मृतस्य धनमाद्यात् इत्यादि । भिनोद्रेषु तु सजातीयासजातीयत्वकृतभेद् उक्त एव । यदा सोदरा असोदराश्च संसृष्टिनस्तदा सोदरा एव गृह्णीयुः। यदा त्वसंसृष्टिनः सोद्राः संसृष्टाश्च भिन्नोद्-रास्तदोक्तरीत्या उभाभ्यां बाह्यम् । एतद्दैपरीत्ये तु सोद्रैरेव। सोद्राणां मध्येऽपि केचित्संसृष्टा नान्ये तदा सोद्रत्वसंसृष्टत्वाभ्यां संसृष्टिभिरेवेति।

यतु एकमातृजत्वभिन्नमातृजत्वरूपविशेषेण भ्रातृषु या व्यवस्था दृशिता सा साक्षात्पितृव्य-सापन्नपितृव्येऽपि योज्या, न्यायस्य तुल्यत्वादिति । तन । 'सोद्रस्य त्विति 'विधिवाक्ये सोद्रत्वस्या-विवक्षायां बीजाभावात्सोद्रपद्स्य पितृव्योपलक्षकत्वाभावात् । लोकेऽत्यन्तविरुद्धवचनविरोधाच न्यायस्य तत्राभवृत्तेशिति दिक् ।

एतेन "अपुत्रधनं भ्रातॄणामि'त्युक्तं तत्र विशेषमाह । संसृष्टिन इति । सर्वमेकं वाक्यम् । तिसन्मृते जातस्य पुत्रस्य द्यादिति तु प्रासङ्गिकम् । सोद्येत्वाभावे तु नांशभाक्त्वमिति स्पष्टयति । अन्योद्यं इति । यदा त्वन्योद्यं एव संसृष्टी न सोद्रस्तद्ाऽऽह । असंसृष्ट्यपि इति " इत्य- १० पराकीक्तमपास्तम् ।

अस्य आतृमात्रविषयत्वे पित्रादिसंसर्गविध्यानर्थक्यापत्तेः । तन्निर्णायकवचनान्तराभावात् । प्रकरणविच्छेद्कतुशब्दद्वयवैयर्थ्यात् । 'वानप्रस्थे'त्याद्ना तद्विच्छेदात् । सोद्र्यनियमादेवान्यव्यावृत्तौ तदुक्तिवैयर्थ्यात् । संसृष्टिसरेवेऽप्यसंसृष्टिनेंऽशभाक्त्वे नार्दादिविरोधाच ।

एतेन "इदानीमि ' त्याद्यवतरणं अन्योद्यं इत्यस्य चिन्त्यम् । अतोऽन्यथेत्यादिनारदादि- १५ विरोधात् । पूर्वान्वितयोरप्रेऽनुषद्गेः संमृष्टपदस्यार्थद्वयकल्पने एवाकाराध्याहारे च प्रमाणाभावाच । अनेन अन्वयन्यतिरेकाभ्यामित्याद्यपि चिन्त्यम् । संमृष्टिवाक्यस्य पत्न्याद्यपवादत्वोत्त्येव तद्र्थसिद्धेः धाक्यानर्थक्यात् । पित्रादेरपि संमृष्टित्वे पृथक् अन्योद्र्ये तद्धिक्वैयर्थ्याच । विभक्ता इति मनोः तथा न्याख्यानमपि चिन्त्यम् । तयोविशेष्यविशेषणभावेनैव वृह्वस्पत्योकवाक्यतयाऽर्थान्तरकल्पनाया अन्याय्यत्वात् । चकारात् तथा कल्पने नारदादिविरोधात् । चद्वयस्य द्वन्द्वविग्रहवदुपपत्तेः । विशे- २० षणानर्थक्यं तु न, भगिनीविशेषणवद्धिन्नोद्रत्वारणार्थत्वात् । तस्मात्सापत्नो धनं हरेत्, अन्योद्र्यः सोद्रः संमृष्टी न चेत्, असंमृष्टचपि आद्यात्, संमृष्टो नान्यमातृजश्चेदिति न्याख्यानमुचितम् " इति स्नान्तोक्तमपास्तम् । आशयानवनोधात् । अत्रांशमिति सामान्योक्त्या स्थावरेऽप्येवम् । अत एव पागुक्त्यमादिसङ्गतिः । एतेन "अंशमिति सामान्योक्तवापि स्थावरे विशेषो वृद्धहारीताद्यक् " इति स्नान्तोक्तमपास्तम् ॥ १३९ ॥

सङ्गितिमाह । पुत्रिति । पुत्रश्च पत्नी च पुत्रपत्न्यौ ते आदी येषां ते पुत्रपत्न्याद्-यस्ते च संसृष्टी च तेषां त्रयाणामित्यर्थः । आदिभ्यां पौत्रादेर्द्धेहित्रादेश्च यहणमिति न न्यूनता । एतेन आधे उपलक्षणतया व्याख्यानमपास्तम् ।

## याज्ञवल्कीये १४० श्लोकः।

तस्य त्रितयस्य । मूले अथशब्दः समुचये । तृतीयोति । श्लीपुंसभिनेत्यर्थः । प्रकृतिः ३० स्वभावः मकार इति यावत् । तथा च स्वाभाविकतत्त्ववतस्तेन ग्रहणम् । तेन काद्।चित्ककृत्रिमतत्त्व-वतो निरासः ।

अत एव **कात्यायनः**—

" न मूत्रं फेनिलं यस्य विष्ठा चाप्सु निमज्जित । मेढ्र चोन्मादशुकाभ्यां हीनं क्लीवः स उच्चयते इति"। नारदोऽपि. (अ. १३ हलो. १०।११।१२।१३)

- " यस्याप्सु प्रुवते वीर्य ह्नादि मूत्रं च फेनिलम् । पुमान्स्याहृक्षणेरेतैर्विपरीतैस्तु षण्ढकः ॥
- " चतुर्द्शविधः शास्त्रे षण्डो दृष्टो मनी।र्षाभिः । चिकित्स्यश्चाचिकित्स्यश्च तेषामुक्तो विधिः क्रमात् ॥
- " निसर्गषण्ढो बभ्नश्च पक्षषण्ढस्तथैव च । अभिशापाद्धरो रोगाइवकोधात्तथैव च ।।
  - " ईर्ष्याषण्ढश्च सेव्यश्च वातरेता मुखेभगः । आक्षिप्तो मोचबीजी च शालीनोऽन्यापतिस्तथा ॥"इति ।

निसर्गषण्डः स्वभावतो लिङ्कवृषणहीनः । बश्चित्रिञ्चमुष्कः । पञ्चद्श दिनानि स्त्रियमासेव्य सङ्क्रिगक्षमः पक्षषण्डः ॥ ३ ॥ गुरुशापषण्डाद्यस्त्रयः स्पष्टाः ॥ ६ ॥ ईर्ष्यया पुंस्त्वमुत्पाद्यते यस्य स ईर्ष्याषण्डः ॥ ७ ॥ स्त्रुप्रचारविशेषेण पुंस्त्वशक्तिर्यस्य स सेव्यषण्डः ॥ ८ ॥ वातोपहतरेतस्को १० वातरेताः ॥ ९ ॥ यस्य मुखे एव पुंस्त्वशक्तिर्ने योनौ स मुखेभगः ॥ १० ॥ रेतो निरोधात् षण्डीभूत आक्षिप्तषण्डः ॥ ११ ॥ गर्भाधानासमर्थवीजी ॥ १२ ॥ अप्रगल्भतया क्षोभाद्वा नष्टपुंस्त्वः शास्त्रीनः ॥ १३ ॥ यस्य भार्याव्यतिरेकेणान्यासु पुरुषभावः सोऽन्यापतिरिति ॥ १४ ॥

क्रीबस्य जनकत्वासंभवादाह। पितितोत्पन्न इति । अकृतप्रायश्चित्तोत्पन्न इत्यर्थः । यहिति । तादृशा ये ग्रहास्तदावेशस्वरूपैरित्यर्थः । सर्वथा चैतन्यशून्यत्वस्यासंभवादाह । विकलान्तारिति । १५ तस्यापि तात्पर्यमाह । हिताहितोति । नेत्रोन्द्रियोति । नेत्ररूपेन्द्रियेत्यर्थः । अनेनापि स्वाभाविक-मेव तत्त्वं विवाक्षितमिति सूचितम् । अत एवाग्रे निरिन्द्रियग्रहणं मानवे जात्यन्धग्रहणं च । तादृशरोग-स्वरूपमाह । क्षयाद्गिति । आदशब्देनेति पाठः ।

तेषां निरंशकत्वांशे मानमाह। यथाहेत्यादिना। आश्रमान्तराणि नैष्ठिकवानपस्थोत्तमाश्रमाः। क्षेत्रजाः तदादयः। अत एवैतद्न्येषां सामान्येनोक्तिः। जात्यन्धेति। जात्या स्वभावेनान्ध-२० बिधरावित्यर्थः। मानवे तथाशब्दः चार्थे। 'उन्मत्तेति' द्वन्द्वोत्तरपदको द्वन्दः। वर्णानुचारको मूकः। ननु निरिन्द्रियप्रहणेनैव जात्यन्थपरिष्रहे सिद्धे तदुक्तिर्व्यर्था। न च ब्राह्मणवसिष्टन्यायेन निर्वाहः। सिति गमके एव तन्यायविषयत्वात्। अत आह। व्याध्यादिनेति।

पदार्थानुक्त्वा मूलवाक्यार्थमाह । एते इति । ननु मानवादौ तावन्माञोक्त्या मूलस्यापि तञ्जेव तात्पर्यमस्तु न भरणे अत आह । अभरणे त्विति । 'सर्वेषाामिति' शेषे षष्टी । क्लीबादीनामित्यर्थः । २५ अनंशावित्यग्रिमोऽयम् । तुरेवार्थे ब्युक्कमे च । दातुमेवेत्यर्थः । न्याच्यं न्यायपाप्तम् । शक्त्येत्य-नेन न्यूनाधिकभावो निरस्तः । ग्रसाच्छादनमिति समाहारद्वन्दः । एवार्थे स्फुटयति । पतित इति । हि यतः । अत्यन्तमित्यस्य पूर्ववाक्यान्वयिनोऽर्थमाह । यावादिति । एतेन 'शक्त्ये ' त्यनेन 'अत्यन्तमिति' विरुद्धमित्यपास्तम् ।

यद्यपि देवलेन पतितवर्ज भरणमुक्तं---

३० " मृते पितरि न क्वीबकुष्ठयुन्मत्तजडान्धकाः । पतितः पतितापत्यं लिङ्किद्ायांशभागिनः ॥ "तेषां पतितवर्जभ्यो भक्तं वस्त्रं मदीयते । तत्सुताः पितृद्गयांशं लभेरन् दोषवर्जिताः ॥ '' इति, लिङ्की प्रजीजतादिः । अत्र निषेधे पतितपदेनं तत्सुतोऽपि । पतितोत्पचत्वेन पतितत्वात् । अत एव बौधायनः ( २-२-३८-४१) " अतीतव्यवहारान् ग्रासाच्छाद्नैर्विभृयुरन्धजडक्की-बन्यसानिन्याधितादिश्चाकर्मिणः पतिततज्जातवर्जमिति, ''

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तथापि तस् प्रायश्चित्तयोग्यतिद् च्छुपरम् । अत एव मानवे सर्वेषामिति अत्यन्तमिति चोक्तम् । अत एव तिद्दिरोधो नेति दिक्। कचिद्दिरोधमाह। एतेषामिति । पिततादीनां स्वाभाविकदोषदुष्टभिन्ना-नामित्यर्थः । अत एवाये वक्ष्यति । पिततादिष्टिवित । दोषप्राप्तो अपत्याख्येयेत्यादिः । न पुनः न तु । अये दोषेत्यायनुषद्भः । तत्रानंशत्वमित्यस्य तत्पर्यावर्तनमित्यर्थः । तदानीं तत्त्वाभावात् । तच विशेषणं न तृपलक्षणमिति भावः ।

तत्रापि विशेषमादिपूरणेन सूचितमाह। विभागोत्तरेति। 'काळाध्वनोरिति ' दितीया। विभागात्प्रागेव दोषपाप्तौ विभागकाळे दोषदुष्टस्यापीति शेषः। तथा च स्वाभाविकवत् कृत्रिमदोषेऽपि विभागात्पूर्वं जाते यत्राचिकित्स्यत्वं तत्रैवानंशत्वं नान्यत्रेति निर्गळितमिति तात्पर्यम्। 'औष-धादीति ' आदिना प्रायश्चित्तस्यापि ग्रहणम्। नन्विदं केवळमयुक्तम् । अनन्तरं तेन तिकरासेऽपि तद्दानीं तस्य सत्त्वात्। तस्य विशेषणत्वाङ्गीकारात्। अत आह। विभक्तोष्विति। मूळोिकरेवेयम्। १० यथा विभागादूर्ध्वमृत्पने पूर्वं तद्गीयविभागाभावऽपि स्वरूपोत्पत्त्या धर्मोत्पत्तिः, एवं तद्गनीं तत्सत्त्वेन तद्भावेऽपि विभागोत्तरं तद्दोषविनाशे तत्त्वस्याभावेन योग्यतया तद्वत्पत्तिरिति तस्मिन् पुरुषे समानन्यायत्वमित्यर्थः।

क्रीबेऽसम्भवात्पतितादौ विशेषान्तरमाह । पतितादिष्विति । उद्देश्यगतत्वेन तद्विवक्षा बोध्या । ऋद्न्तानामेव इंद्राभावात् दुहितृशब्दे आनङ् न । उक्तदोषेति । पतितत्वादिदोषेर्दुष्टाना- १५ मित्यर्थः । तञ्चापि प्रागुक्तरीतिः सर्वा बोध्या ॥ १४० ॥

सङ्गतिमव्यवहितेनाह । क्वीबादीनामिति । इदं वक्ष्यमाणं प्रतिप्रसवरूपम् । याज्ञवल्कीये १४१ श्लोकः (पूर्वार्धः)।

इद्मः प्रकान्तार्थकत्वादाह। क्रीबादीनामिति। मूले तः वार्थे इत्याह। वेति। अन्यादृश-दोषशून्यत्वस्य प्रकृतेऽनुपयोगादाह । अंशिति । उभयप्रहणफलमाह । तत्रेति । तयोर्मध्ये इत्यर्थः । २० अपिना तस्य समुच्चयः । मूले बहुवचनं क्लीबादिसर्वाभिप्रायम् । अत एव बहुवचनाद्न्येषां ग्रहणशङ्का नेत्याह । औरसेति । अन्यशौरसाद्य इत्येव त्रूयात् । व्युदासार्थमिति । तथा च तेषामंशाभाव एव । औरससमत्वात्पुत्रिकाऽपि प्राप्नोति । साऽप्यौरसपदेनैवोपात्ता ।

## ( उत्तरार्धः )

मूले वैशब्दः निश्चये । भर्तृशात्कृता इत्यस्यार्थमाह । विवाहसंस्कृता भवन्तीति । तथा २५ च तत्र भूतत्वमिवविक्षितमिति भावः । चशब्दादिति । च्युत्कमणीयादित्यर्थः ॥ १४१ ॥

## याज्ञवल्कीये १४२ श्लोकः।

साधुवृत्तय इति हेतुगर्भ विशेषणित्याह । चेदिति । तत्फलमेवाह । व्यिभचारण्य इति । तुर्यपादं सप्रतीकं पूर्वतो विशेषसत्त्वात्पृथक् व्याचष्टे । प्रतीति । यद्यपि अव्यवहितत्वा- विर्वास्या इत्येव पाप्तं तथापि चशब्दबलात् भर्तव्या इत्यस्यापि सम्बन्ध इत्याह । सरणीयाश्चेति । ३० नन्वेवं व्यभिचारिणीषु प्रतिकूलासु अनेनोभयं पाप्तं, तृतीयपादेन तु निर्वासनमेव पाप्तम् । तत्र हि निर्वास्या इत्यस्य सर्वं वाक्यमिति न्यायेन निर्वास्या एवेत्यर्थः इति मिथो विरोधोऽतआह । अव्यभिचारिण्यश्चेदिति । तथा च भिचविषयत्वान्न विरोधः । अत एव विभिन्ननिर्मित्तो किसङ्गतिः । न पुनः न तु । अकरणे दोषश्चवणादिति भावः ॥ १४२॥

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अथ व्यवहितसंगतिमाह । विभजेरिन्निति । तत्र तद्पवाद्वेन 'मातुर्द्वैहितर श्रह्युक्ताविषि प्रकारान्तरानुक्त्या न विस्तर इति भावः । अभिहित इति । 'औरसो धर्मपत्नीज श्रहत्यादिना 'अपुत्रा योषित श्रह्यन्तेनेति भावः । अभिधास्यन् 'अतीतायामि' त्यादिना । तत्स्वरूपं स्त्रीधनस्वरूपम् ।

### याज्ञवल्कीये १४३ श्लोकः ।

पित्रिति । अत्र इंदोत्तरपद्कइंद्दगर्भो इंद्रः । द्वितीयपाद्स्याग्निसमीपपाप्तमिति शाब्दोऽर्थः । तत्फिलितं वश्यमाणकातीयानुरोधेनाह । यत्र विवाहिति । नित्यसमासत्वेनास्वद्विग्रहत्वादाह । अग्नाविधिकृत्येति । अग्निसिचिधावित्यर्थः । एतेन विवाहकाले कन्यादानकालेऽग्निसिचिधो होमकाले चेति कातीयव्याख्यानं कस्यचिद्पास्तम् । उपागमनर्वाजमाह । मातुलेति । आदिना १० पितृव्यभातृष्वस्रादिग्रहणम् ।

अधीति । अधिवेदनं निमित्तं यस्येत्यर्थः । अधिवेदनं च सत्यां धर्मपत्न्यां रागत एव विवा-हान्तरकरणम् । 'तस्य निमित्ताम्' इत्यधिकारीयष्ठक् (न्या.सू.प।१।३८)। अत्र मानमाह । अधीति। मूलकृतेति भावः । अत्र आधिवेदनिकं चैवेति प्राच्यधृतपाठो न युक्तः । एवशब्दस्य वैयर्थ्यात् । न्यूनतापत्तेः । वचनान्तरिवरोधापत्तेश्च । तत् ध्वनयन्नाह । आद्यशब्देनेति ।

तत्र रिक्थस्य स्त्रीधनत्वे मानं तु 'पत्नी दुहितरश्चैवेति ' प्राग्तकं **मूलं** स्पष्टमेव । नारदोऽपि (अ. १३।८)

"अध्यान्यध्यावहनिकं भर्तृदायस्तथैव च । ब्रातृद्त्तं पितृभ्यां च षड्विधं स्त्रीधनं स्मृतम् ''॥ इति । कात्यायनोऽपि—

'भर्तृदायं मृते पत्यौ विन्यसेत् स्त्री यथेष्टतः । विद्यमानेषु संरक्षेत् क्षपयेत्तत्कुले उन्यथा ॥'' इति । २० मृते इति । तदा तद्नुमत्यनपेक्षा सूचिता । स्वातन्त्र्यापवाद्माह । विद्यमानेष्विति । दुहित्रादिदाया-देषु तत्संरक्षेत्र स्वेच्छया व्ययीक्तुर्यात् । अन्यथा दुहित्राद्यभावे । अत्र मृते स्वातन्त्र्योक्त्या जीविति तन्नेति गम्यते । यथेष्टविनियोगाभावे तत्कुले भर्तृकुले क्षपयेत् विनियोजयेदित्यर्थः ।

### "व्यासोऽपि,

"द्विसहस्रपणो दायः स्त्रिये देयो धनस्य तु । यच भर्जा धनं दत्तं सा यथावद्वाप्नुयात् "॥ इति । २५ इयं संख्या प्रत्यब्दे देये । सकृदेवानेकाब्द्पर्याप्तधनदाने तु नेयं संख्या। नापि स्थावरनिषेधः । "द्वाद्धनं वा पर्याप्तं क्षेत्रांशं वा यदीच्छाति ।" इति बृहस्पतेः । एतेन—

" पितृमातृपतिभ्रातृजातिभिः स्त्रीधनं स्त्रिये । यथाशक्त्या दिसाहस्राहातव्यं स्थावराहते ॥ " इति कातीयमपि व्याख्यातम् ।

३० एतेन "भर्जा प्रीतेनित " मन्याधेकवाक्यतया भर्तृद्ायम् इत्यस्य भर्तृद्ायम् " इति राज्यानाम्, "इदं भर्तृद्त्तिहिविधजङ्गमसौद्गयिकविषयं, भर्तृद्गयोपक्रमात् । एतद्ग्रिमम् अपुत्रा शयनमिति तु स्थावरिविषयम् । एतद्ग्रिमम् अपुत्रा शयनमिति तु स्थावरिविषयम् । एतद्ग्रिमम् अपुत्रा शयनमिति तु स्थावरिविषयम् । भर्तृद्त्तमित्यि पाठे दोषलेशाभावेन तथा पाठस्य निर्वीजत्वापत्तेः । तावताऽपि याज्ञवल्क्यादिविरोधस्य दुष्परिहरत्वात् । अत्रापि वचनान्तरैक३५ वाक्यतायाः सन्तस्योक्त्रायत्वाच । तदाशयस्योक्तवाच ।

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संविभागलब्यस्यापि तत्त्वे मानं तु—

"यदि कुर्यात्समानंशान्यत्यः कार्याः समांशकाः । न दत्तं स्त्रीधनं यासां भर्त्रा वा श्वशुरेण वा 'गा इति-

"पितुक्तध्वै विभजतां माताऽप्यंशं समं हरेत् । " इति " दत्ते त्वर्धाशह।रिणीति " च सूछं प्रामुक्तमेव । क्रयादिलब्धस्य तत्त्वं तु सामान्यतो लोकप्रसिद्धमेव ।

#### देवलोऽपि---

"वृत्तिराभरणं शुल्कं लाभश्व स्त्रीधनं भवेत् । भोक्नी तत्स्वयमेवेदं पतिर्नाहित्यनापदि ''॥ इति । सर्वत्र मानं तु स्वत्वकारकहेतूनामष्टानां परिगणनपरो गोतम एव (अ. १० सूत्र २९-४२)

ं स्वामी रिक्थकयसंविभागपरित्रहाधिगमेषु । ब्राह्मणस्याधिकं लब्धम् । क्षत्रियस्य विजितम् । निर्विष्टं वैश्यशुद्धयोरिति । ''

इदं च प्राग्व्याख्यातम् । स्वत्वस्य स्वत्वहेतूनां च लोकप्रसिद्धत्वेन शास्त्रेकसमधिगम्यत्वाभावे- १० ऽपि गौतमवचनं नियमार्थमित्यपि प्रागुक्तमेव ।

एवं पदार्थानुक्वा वाक्यार्थमाह । एतिदिति । एकाद्राधोक्तं सर्वमित्यर्थः । अप्रामाण्यराङ्का-निरासाय साकांक्षमेवाह । मन्वादिभिरिति । यत्तु षड्विधं स्त्रीधनमिति मनोस्तत्परिगणितेषु षट्स्व-रुवकर्णाद्वित्तद्भृढ एव स्त्रीधनशब्द् इति त्वदाद्यशब्देन कथं तेषां परिग्रह इति कैश्चिदुक्तम् । तन्न । वचनान्तरिवरोधाच्छिष्टाचारिवरोधाच्च । तस्माद्यौगिक एवायं दृष्टान्तवैषम्यादित्याह । स्त्रीधनेति । १५ चस्त्वर्थे । एवमग्रेऽपि । योगेति । अक्छप्तेति न्यायात् । न च रुढिर्योगमिति न्यायेन वैपरीत्यं शङ्क्यम् । लब्धात्मकाया एव रूढेस्ततः प्राबल्यस्य न्यायविषयत्वात् । एवं चालब्धात्मकरूढितो योगस्यैव प्राबल्यमिति भावः ।

किश्वास्य तथात्वे पुरुषधनशब्दे स्त्रीपुरुषधनशब्दे मातृधनशब्दे पितृधनशब्देऽपि तथा वक्तव्य-त्वापत्तेः । तह्दत्रापि निर्वाहाञ्च । सौदायिकं धनं प्राप्येत्यनेन योगस्येव बोधनाञ्च । न वैवं पुरुष- २० धनादिवदेतस्याप्यकथनमेवोचितामिति वाच्यम् । तस्या अस्वान्तन्त्र्येणार्जनाद्यनधिकाराद्धनाभावेन मातृधनं दुहितृगामीत्यस्यासङ्गतिनिरासाय मन्कूकस्त्रीधनषट्त्वस्य न्यूनतानिरासे तात्पर्यमिति सूचियतुं मूलकृद्वादिभिर्वहुभिर्मुनिभिर्वहृनि तान्युकानीति दिक् ।

नन्वेदं मनुविरोधोऽत आह । यत्पुनरिति । यत्त्वित्यर्थः । एवमग्रेऽपि । 'भ्रातृमातू ' इत्यत्रोभयत्र शाकपार्थिवादिसमासः । अत एवानङ् न ।

मूलवचनान्तरानुरोधेनाह । तस्यूनेति । युक्तं चैतत् । अन्यथा हि षड्विधमध्येऽपि मूलतो मानवे नारदीये च प्रागुके विशेषस्य सत्त्वेन तत्रातिविरोधदाढ्यमेव ।

किं च तेनापि तद्ग्रे एवान्वाधेयं च यहत्तमित्यादिना तद्धिकमुक्तमिति तस्यापि मिथो-ऽन्यथा विरोध एवेति ।

अभिहितमिति । मानवोक्तकमेणेति भावः । स्त्रीभ्यः कन्याभ्यः । पञ्चतत्वात् । ३० हिशब्दः निश्चये । तत् दानेन तदीयत्वात् श्लीधनं अध्यिषिकृतमित्येवं सिद्धः परिकीर्तितमित्यन्वयः । एवमग्रेऽपि । पुनस्त्वर्थे उक्तवैलक्षण्ये । अध्यावहनं ततो नयनं तदस्ति हेतुत्वेन यस्येति 'अत इनि- उनौ ' (व्या. सू. ५।२।११५) इति उन् । नामशब्दः निश्चये ।

प्रीतिद्त्तं द्विविधं, प्रथमद्रश्ने पीत्या पाद्वन्द्ननिमित्तकं, तद्वत्तरं सेवया प्रीत्या द्तं च। तत्राद्दी द्वितियमाह। प्रीत्येति। आद्यमाह। पाद्वितः। तत्प्रीतिद्त्तमेवोच्यते इत्यन्वयः। अनेन मानवे पीतिकर्मणीति समाहारद्वन्द्वात्सप्तमी। कर्म च पाद्वन्द्नमेव। संख्याविरोधस्तूक्तरीत्या नेति बोध्यमिति सूचितम्। भ्रातृपाप्तायाह। कढयेति। यद्यपि कन्याशब्द् ऊढायामप्यक्षतयोन्यां तथापि तत्साहचर्याद्नूढापर एवात्र। कढया पत्युः सकाशाख्रद्धं भ्रातुः सकाशात्पित्रोर्वा सकाशाख्रद्धं वा। अथवा कन्ययाऽपि पितृगृहे स्थितयाऽपि वाऽन्यत्रस्थितया वा भ्रातुः पित्रोर्मातापित्रोः सकाशाख्रद्धं तत्सर्वे सौद्ायिकं स्मृतमित्यर्थः। सुद्ाय एव सौद्ायिकं, स्वार्थिकष्ठन् । स्वदायते लब्दमिति वा। स्वद्ायसम्बन्धिभ्यो लब्दमिति तुपाञ्चः। पूर्वं रिक्थपदार्थस्तु एतद्न्यो बाह्यः॥१४२॥

## याज्ञवकीये १४४ श्लोकः।

१० किं चेति । अन्यद्पि स्त्रीधनं सूलकृदाहेत्यर्थः । अत एव सूले तथेति उक्तवित्यर्थः । प्रकृतत्वाद्नूढावस्थायां द्त्तस्यैव तत्त्वाचाह । कन्याया इति । भातृवान्धवयोर्बन्धुरिति । कोद्रोऽपि भ्रातुः प्राग्रुपादानादाह । मात्रिति । स्वसमानत्वादात्मवन्धूनामग्रहणम् । यदिति । तथाचार्षासुरादि-विवाहविषयमिदम् । अत एव गौतमीयं ( अ. २८ सू. १३।२४ ) '' भगिनीशुल्कं सोद्र्याणामूर्ध्वं मातुः । पूर्वं वैके '' इति वक्ष्यमाणं भगिनीशुल्कं आसुरादिविवाहोढाया भगिन्या धनमिति १५ कल्पतरुणा व्याख्यातम् । वृत्त्येपक्षो विकल्पः ।

### कात्यायनेन त्वन्यथैतदुकं—

" गृहोपस्करवाह्यानां दोह्याभरणकर्मणाम् । मूल्यं लब्धं तु यित्किचिच्छुल्कं तत्पिरिकीर्तितम् " ॥ इति । गृहादिकर्तॄणां शिल्पिनां तत्तत्कर्मकरणाय भर्जादिप्रेरणार्थं तस्ये यद्दानं तच्छुल्कम् । तदेव मूल्यं प्रवृत्त्पर्थत्वात् इत्यर्थः । गृहं प्रसिद्धम् । उपस्कर उल्लूखलादिः । वाह्यो वृषादिः । दोह्यो २० गवादिः । आभरणं प्रसिद्धम् । कर्मिणामि।ति पाठे ते दासाद्याः, तदा एतेषां मूल्यं यल्लब्धं तच्छुल्कमित्यर्थः ।

ट्यासेन त्वन्यथैतदुक्तम्—" यदानीतं भर्तृगृहे शुल्कं तत्परिकीर्तितम् " इति ।

भर्तृग्रहगनामनार्थमुत्कोचादि यहत्तं तदित्यर्थः । इदं चोभयं ब्राह्मादिष्वप्यविशिष्टम् । अन्वाधे-यके स्वार्थे कन् इत्याशयेन योगार्थमाह । परिणयनादिति । आधेये भूतत्वं विवक्षितमित्याह । २५ आहितमिति । तद्र्थमाह । दत्तमिति । मुले एवशब्द् एतद्न्यव्यवच्छेदे ।

तृतीये मानमाह । उक्तं चेति । स्पष्टोऽर्थः । भर्तृकुलात्, श्वशुरादेः । पितृकुलार्, मातापितृकुलात् । अन्यद्पि तत्तेनैवोक्तम् ।

'' ऊर्ध्व लब्धं तु यरिंकचित्संस्कारात्मीतितः स्त्रिया। भर्तुः पित्रोः सकाशाद्दा अन्वाधेयं तु तद्भवेत् ^१७ ॥इति। ततः प्रीतिपयुक्तोऽत्र विशेषः।

३० मूलस्य साकांक्षात्वात्तथेत्यनेन सूचितमेवाह । स्त्रीधनिमिति । अत एव विष्णुः,

> ''पितृमातृसुतभातृद्त्तमध्यग्न्युपागतम् । आधिवेद्निकं बन्धुद्त्तं ग्रुक्कान्वाधेयकम् ''॥ इति । ''पाप्तं शिल्पैस्तु यद्दित्तं पीत्या चैव तद्न्यतः। भर्तुः स्वाम्यं तद्। तत्र शेषं तु स्रीधनं स्मृतम् ''॥

इति कातीयं तु महानिबन्धेषु मिताक्षरादिष्वदर्शनानिमूर्लम् । सलत्वेऽपि वा तदेत्युक्ति-साफल्याय च भर्तिरि जीवित उभयविषयमात्रे तस्य स्वाम्यस्य विद्यमानत्वान्न तस्याः स्वाम्यम् । अन्यत्सवि तस्या एव । उभयमि भर्तुरभावे तस्या एवेत्यर्थे पूर्वेकवाक्यतैव ।

यद्दा । भर्तिर जीवत्यपि वक्ष्यमाणदुर्भिक्षाद्याशयकम् । तदा दुर्भिक्षाद्यै शेषं दुर्भिक्षाद्यभावव-दित्वर्थात् । अत एव सौदायिके सदा स्त्रीणामित्यत्र सदेत्युक्तम् । तत्रापि सदेति पाठे तु भर्तुरित्यस्य मध्यमणिन्यायेनान्वयात् भर्तुः शिल्पैः तन्तुपायादिस्त्रीभिर्यद्वस्त्रवयनादिना प्राप्तं भर्तुः प्रीत्या च यद्न्यै-द्वंतं तत्र भर्त्तुः स्वामित्वमित्यर्थः । युक्तंः चैतत् । अन्यथा स्वार्जनस्य स्वत्वानापादकत्वापत्तेरिति ।

एवमन्योऽपि स्त्रीधनत्वापवादः ।

## तथा च कातीयम्,

"तत्र सोपधि यद्दत्तं यच्च योगवरोन वा। पित्रा भ्रात्राऽथवा पत्या न तत्स्त्रीधनमिष्यते ''॥ इति । १० उस्तवादौ शोभा उपधिः । संभोगाद्यर्थं छलं योगः।

स्त्रीणां सर्वथाऽस्वातन्त्र्यस्य पूर्वमुक्तत्वात्स्वधनन्ययेऽपि भर्त्राद्यनुमितरपेक्षिता सित संभवे ऽनापिद् । अत एव तद्स्तु पारतन्त्र्यं धनस्वीकारे को विरोध इति पूर्व मिताक्षरा । सौदायिके तु न तथा ।

तथा च कात्यायनः,

१५

२५

" ऊढ्या कन्यया वाऽपि पत्युः पतिगृहेऽपि वा । भ्रातुः सकाशात्पित्रोर्वा लब्धं सौद्यिकं भवेत् ॥

"सौदाायिकं धनं प्राप्य स्त्रीणां स्वातन्त्र्याभिष्यते । यस्मात्तदानृशंस्यार्थं तैर्द्तं तत्प्रजीवनम् ।

" सौदायिके सदा स्त्रीणां स्वातन्त्र्यं परिकीर्तितम् । विक्रये चैव दाने च यथेष्टं स्थावरेष्वपि" इति ।

एतद्ग्रे भर्त्तुर्द्शयमिति, ततोऽग्रे अपुत्रा शयनमिति च पूर्वोक्तपाठः । 'सदे 'त्यस्य भर्त्तिरि जीवत्यजीवति वेत्यर्थः । आनृशंस्यमनुकम्पा तिनिमित्तम् । प्रजीवनं जीवनप्रकर्षाधायकम् ।

एतेन सौदायिकमिति स्त्रीधनमात्रोपलक्षणं, यस्मात्तदिति हेतोः सर्वत्र सत्त्वादिति स्नान्तोक्तम-पास्तम् । आपद्यनापदि वेत्यर्थः । अत एवाग्रेऽन्यशोक्तिदीयांशे ।

स्थावरे तु भर्तृद्त्तमात्रे न स्त्रिया दानाद्याधिकारः । 'भर्त्रा प्रीतेन यद्दत्तमिति' प्रागुक्त**नारदात् ।** एतेन ' मृते भर्त्तरीति ' प्रागुक्तकातीयमि व्याख्यातम् । तद्दत्तस्थावरान्यस्थावरं ३वश्चरादिद्तं सु देयमेव । उक्तकातीयात् ।

"स्थावराद्धिनं स्त्रीभ्यो यहत्तं स्वशुरेणु तु । न तच्छक्यमपाहर्तुं पुत्रैरिप हि किहींचित् ॥ "

# इति वृहस्पतेश्च । अन्यथा मिथो विरोधः ।

न च स्त्रिया दाने नाधिकार इति वाच्यम्। श्रुतिस्मृतिपुराणादौ बहुशो व्रतेष्टापूर्त्तादौ तत्प्रतिपादनात्।

" पितृभ्यां यस्य यहत्तं तत्तस्यैव धनं भवेत् । " इति पूर्वं मूलोक्तः स्वत्वाभावे परस्मै दाने-ऽनिषकारेण तद्सङ्गतेश्व । कथं चित् इतेऽपि चौर्यदण्डापत्तेश्व । अनुमत्या कृते फलाभावापत्तेश्व । ३० भर्तदानस्यापि पुराणे प्रसिद्धत्वाच । दुर्भिक्षायन्यत्र तु न कस्यापि तद्धनग्रहणेऽधिकारः ।

तथा च ात्यायनः,

- '' न भर्ता नैव व सुतो न पिता आतरो न च । आदाने वा विसर्गे वा स्त्रीधने प्रभविष्णव: ॥
- " याद् होतकरो होषां स्नीधनं भक्षयेत् बलात् । स वृद्धिं पतिदाप्यः स्याइण्डं चैव समामुयात् ॥
- '' तदेव यद्यनुज्ञाप्य भक्षयेत्पीतिपूर्वकम् । मूलमेव तदा दाप्यो यदा स धनवान्भवेत् ॥
- " अथ चेत् स द्विभार्यः स्याच च तां भजते पुनः । प्रीत्या विसृष्टमि चेत्रातिद्ाप्यः स तद् बलात्॥ " ग्रासाच्छाद्नवासानामुच्छेद्रो यत्र योषितः । तत्र स्वमादद्गित स्त्री विभागं रिक्थिनां तथा ॥ "इति ।

एतेन '' अनियतसंख्यस्रीधनमङ्गीकृत्य षट्त्वसंख्याया अविवक्षामुक्त्वा वचनानाम् स्रीधनकी-र्तनमात्रपरत्वमङ्गीकृत्य यत्प्रजल्पितं प्राच्यैः तदेव च स्त्रिया धनं यत् भर्तृतः स्वातन्त्र्येण दृद्गित विक्रीणीते मुक्के च तदिदं किश्चित्संक्षिप्य कात्यायनेनोक्तं 'प्राप्तं शिल्पै।स्त्विति' तेन न तत् स्त्रीधनं सौदायिकं तु तथा " इति तद्पास्तम् । अनेकवचनविरोधापत्तेः । कातीयाशयस्योक्तत्वाचेति दिक् ।

- १० तदित्यस्य व्याख्या पूर्वोक्तमिति । सर्वमित्यर्थः । अप्रजसीत्यसिजन्तम् । तद्र्यः । अनपत्या-यामिति । कन्यादौ माञ्चवयवान्वयबाहुल्यात्तस्यापि स्पष्टमर्थे पाग्कस्य ' मातुर्दुहितर' इत्यस्यानु-रोधेनाह । द्वितित्रिति । एतत्पञ्चकरहितायामित्यर्थः । अन्यञ्च बान्धवज्ञव्दस्य बन्धुत्र्यपरत्वेऽपि प्रकृते बक्ष्यमाणानुरोधेनान्यार्थपरत्वमित्याह । भर्जाद्यो वक्ष्यमाणा इति । अनुपद्मेवेति ज्ञेषः । विधिन विवक्षित इत्याह । गृह्णस्तीति ॥ १४४ ॥
- १५ सङ्गतिमाह । सामान्येनेति । भर्त्रादित्वसामान्येनेत्यर्थः । अधिकारिभेदामिति । तथा च पूर्वव्यवस्थापकमेवािमिति भावः । एतेनातीतायामित्यर्धे बन्धुद्त्तमित्यनेन पूर्वज्ञानन्वितेन सम्बद्धमित्यपास्तम् । मध्ये पाठासाङ्गत्याद्यापत्तेः ।

### याज्ञवल्कीये १४५ श्लोकः।

पूर्वोक्तायाः । दुहित्रादिपञ्चकरहितायाः । तस्याः बाह्मादिना धनसम्बन्ध इत्याह । द्वाह्मे २० ति । सप्तम्युपपत्तये आह । भार्यात्वामिति । पञ्चतत्वादाह । अतीताया इति । तत्रार्षः समासो छप्तिभित्त्यन्तं तत् पृथक् वा पद्मिति भावः । तत एव धनमपि न यत्किञ्चिदित्याह । पूर्वोक्तम् इति । सर्वमित्यर्थः । भर्तुरेकस्योपादानिदाह । प्रथममिति । मात्रा स्वस्ना वा तद्ग्राह्मामिति । पैठी-नसिरप्येवम् । एतेन 'स्निधनं भर्ता इति पाठाभिग्नायेणेयं मे पुत्र इत्येतत्पुत्रशेषपरिनदं, मानवं तु 'अस्यां यो जायते पुत्र' इत्येतत् पुत्रिकापरम् '' इति आन्तोक्तपमास्तम् । कल्पतर्वा-२५ दिविरोधात् ।

न्युक्रमेणापिना समुचेयमाह । तद्भाये इति । तद्धिकारितावच्छेद्कं प्रागुक्तमन्याद्रेराह । ततः त्यास्त्रानामिति । पाठकमादार्थकमो बलीयानिति न्यायेनाकांक्षत्वात्तस्योभयशेषत्वाचाह । शोषेष्यिति । उकान्यत्वादाह । आसुरेति ।

अत एव मनुरपि, (अ. ९।१३५)

३० " अपुत्रायां मृतायां तु पुत्रिकायां कथं चन । धनं तत्पुत्रिकामर्ता हरेतैवाविचारयन् ॥ ^१ इति । यद्यपि,

" ब्राह्मदैवार्षगान्धर्वप्राजापत्येषु यद्दसु । अप्रजायामतीतायां भर्तुरेव तदिष्यते ॥ !!

१ केश्चित् बन्धुर् त्तिमित्यादिकम् अतीतायामित्यादौ योजयित्वा परिणयनानन्तरं बन्धुद्त्तादिकं बान्धवा आतरो गृक्तीति ब्माक्यात, तद्द्वयति । अन्यजातिः

इति मानवैकवाक्यता मूळस्थयथाश्रुतापिना गान्धर्वसमुचयात्सम्भवति तथाऽपि ब्राह्मादिष्ठ चतुर्षु विवाहेषु अप्रजायामतीतायां तज्रक्तुः शेषेषु च 'पिता हरे दिति विष्णुविरोधात् तथा नापे- र्थ इति । मानवे गान्धर्वप्रहणं विकल्पार्थमेवेति पाञ्चः । तिद्त्यस्यार्थः अप्रजःस्त्रीति । पितृ- शब्दे प्राग्वदेकशेषोऽभिमत इत्याह । माता चेति । तत्र कमोऽपि प्रागुक्त एवेत्याह । एकेति ।

अत एव कात्यायनः-

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"आसुरादिष्ठ यहन्धं स्त्रीधनं पैतृकं स्त्रिया । अभावे तद्दपत्यानां मातापित्रोस्तदिष्यते ॥ " इति । इद्मुपलक्षणमित्याह । तद्भावे इति । उभयाभावे यथाक्रमं उभयपत्यासनानामित्यर्थः । सर्वशेषं तृतीयपादं व्याचष्टे । सर्वेष्वपीति । सर्वेष्वेषेति पाठान्तरम् । एवोऽन्यतरकोटि-ध्यवच्छेदे तदा ।

अत एव विवाहेष्वित्यनुवृत्तो विष्णुः " सर्वेष्वेव प्रस्तायां यद्धनं तद्दृहितृगामीति।" १० मध्यपितस्य दुहितॄणामित्यस्य काकाक्षिगोलकन्यायेनोभयत्रान्वयं मुन्यभिमतमभिसन्धाय तथैन् वाह । प्रस्तेति । प्रस्तं प्रसवस्तद्स्यास्तीति प्रस्तेत्यर्शआद्यचाऽर्थ इति भावः । तथा च दुहितॄणां प्रस्तवती चेत् दुहितॄणां तद्धनं भवतीत्यर्थः । अन्यथा तु भर्जादेशिति भावः ।

विशेषमपौनकत्त्यायाह । अत्रेति । श्लोके इत्यर्थः । दुहित्रिति । कन्यायाः कन्या इत्यर्थः । अत्र बीजं तदेवाह । साक्षादिति । इत्यत्र तत्रैव । तथा सित गागुक्तानुरोधादिनैवात्रादितः १५ कममाह । अत्रश्चेति । तासामपि तत्त्वे चेत्यर्थः । वृत्तायां मृतायाम् । दुहितरः साक्षात् । अत्रापि तथैवेति सूचयन्यागुक्तमेवाह । तत्र चेति । तासां मध्ये चेत्यर्थः । अनूद्धा सैव । एव-मग्रेऽपि । तत्रापि परिणीतामध्येऽपि ।

दितीयपक्षोक्तोढानां प्राप्तमेवेत्यारायेनाह । तत्र चराब्दात्यतिष्ठितानामिति । गौतमीये इत्यर्थः । स्वोक्तर्युक्ते विशेषमाह । एतच्चेति । 'मातृधनं दुहितृगामी' त्युक्तं चेत्यर्थः । शुल्कं तु २० तत्रृषं स्वीधनं तु । तद्दाने तद्भहणस्य निमित्तत्वात्तस्य स्वीधनत्वम् । भिगिनीशुल्कमिति । व्याख्या-तम् । अध्वीमिति । मातुर्मरणाद्नन्तरमित्यर्थः । कल्पतरुरप्येवम्। अस्य वाक्यरोषोऽपि प्रागुक्तः । माता चात्र भगिन्येव । तथा च तद्भूपमातुरभावे दुहित्रादिषु पौत्रपर्यन्तेषु सत्स्विप स्वभगिनीशुल्कं सोद्रा एव गृह्वीयुरित्यर्थः ।

एवेन दुहित्रादिव्यवच्छेदः । तथा च तदभावे तेषाम् । एतेन ऊर्ध्वामित्यस्य सोद्यीणामभावे २५ इत्यर्थमभिमेत्यादौ तेषां ततो मातुस्तदुभयाभावे पितुर्वकृयमाणचौधायनात् तत्र हि रिक्थं शुल्कम् इति आन्तोक्तमपास्तम् ।

ननु यदा अनेककन्यानां मृतानां वैषम्येण कन्यास्तदा तासां मातामहीधने कथं विभागकल्पने-त्याराङ्कायामनेकिपतृकाणामित्यनेन पौत्राणां पैतामहधनविषये उक्तमेव न्यायं स्मरनाह । तासा-मिति । कन्याकन्यानामित्यर्थः । अत्र वचनप्याह । प्रतीति । वाराब्द एवार्थे । स्ववर्गे दौहि- ३७ त्रीवर्गे । प्रतिमातृ मातिर मातिर । स्वस्वमातृविषये । भागविशेषस्तत्कल्पना कर्तव्या न स्वस्वरूपा-पेक्षयेति । इदमुक्तरीत्याऽन्यत्रापि स्थलविशेषे बोध्यम् ।

नन्वेन्वं भ्रातृतत्पुत्रसमवाये उक्तमकारस्यात्राप्यापित्तरत आह । **दृहितृवृौहित्रीणामिति ।** बुहितरश्च दुहितृकन्याश्च तासामित्यर्थः । किञ्चिद्वेत्यनेन मातृद्वारकभागकल्पनस्य सर्वथा तद्भावस्य च निरासः । तासां प्राग्तककन्यानाम् । जनन्यामित्यश्चिममिद्म् । अभे शेषे षष्ठी । यथार्हतः यथायोग्यम् । द्रव्याल्पत्वबहुत्वादियोग्यतानुसारेण । सार्वविभक्तिकस्तासिः ।

मातुरिति । अत्राभावे इति दुहितॄणामिति च यथेष्टमन्वेति । तदन्वय इति च तन्त्रेण सप्तम्यन्तं प्रथमान्तं च । भजेरिन्नत्यस्य चानुवृत्तिः । तथा च मानुरभावे तद्धनं साक्षात् दुहितरो गृह्णीयुः, दुहितॄणामभावे तद्म्वये दुहितृषान्तानमध्ये आदौ दुहितॄणां दुहितरस्तद्भावे तद्म्वयो दुहितॄणां मन्वयो दौहित्र इत्यर्थः । तथा च तद्म्वय इत्युक्त्या पुत्रीसन्तानरूपाणां दौहित्राणां ग्रहणम्, अन्यथा तदुक्तिवर्थीवं स्यात् ।

१० यद्वा तद्न्वये इति सप्तम्यन्तपाठ एव । मातुर्धनं दुहितर आमुयुः, अभावे तद्भावे दुहितूणां तद्दुहितूणां, तद्भावे तद्न्वये ये जाता दौहिज्ञास्तेषामित्यर्थः । प्रथमान्तमाज्ञपाठेऽप्येवम् । अग्रे यथायोग्यिकयाध्याहारः पक्षद्वयेऽपि । तद्न्वया इति प्रथमाबहुवचनान्तपाठस्तु युक्ततरः । तद्द्रा- ऽऽधेव व्याख्या च ।

ननु तच्छब्देन, मातृपरामर्शः कन्याकन्यापरामर्शी वा कुतो नेति चेन्न । आशर्यानवबोधात् । १५ तथाहि । मातुरभावे दुहितरस्तासां दुहितॄणामभावे तद्न्वय इत्येतावन्मान्नं हि यूलोक्तसमं अभिमतं स्यात्तद्दाऽऽद्यपक्षो भवेत्, न तु तथा । दुहितॄणां दुहितर इत्यन्यतरस्यानतिप्रयोजनकत्वापत्तेः । मृ्लवत्तद्दिनैव निर्वाहे तत्यदाधिक्यापत्तेश्च । द्वितीये पक्षद्दयविधेयत्वेन प्राधान्यस्य द्वितीये पाठसंनिधेश्च सत्त्वेऽपि आद्ये पाठसंनिधेः पक्षद्वयेऽपि आर्थसिनिधेरवयवसंनिधेश्चासत्त्वाद्दौहित्रापेक्षया दौहिन्नीसन्तते- विपक्षद्वत्वात् । तद्दाह—

२० तच्छच्देन संनिहितेति । यदीयं धनं तत्संनिहितेत्यर्थः । अत एव तत्पद्सार्थक्यम् । अत एवोक्तनारदं विहायाह । ताभ्य इति । मूले एवैति भावः ।

" दुहित्वणामभावे तु रिक्यं पुत्रस्य तद्भवेत् । " इति कातीयमप्येवंपरम् इत्याशिकेष मनूकिरिति । अत्र तत्संमतिमप्याह । मनुरपीति । सम्बन्धं तन्मात्रं न तु कमं नापि समुचयमिति भावः । संस्थितायां मृतायाम् । शब्दतः समुचयमतीतेरभिमतं मन्वर्थमाह । २५ मातृकमिति । तत आगतिमित्यर्थः । सनाभयः सोद्याः ।

ननु शब्दतः प्रतीयमानः परोक्त एकान्वय एवास्तु किं भिज्ञान्वयेन अत आह । न पुनिरिति। न त्वित्यर्थः । सम्भूय मिलित्वा । समं भजेरिजिति पाठः । सम्बन्ध इत्यस्याग्रेऽनुषङ्गः । तत्र हेतुमाह । इतरेतरिति । इन्हैकशेषयोरभावादित्यर्थः । इतरेतरयोगे मिलितस्यैकधर्मावच्छिनेतरान्वयः । मेलनं च समूहरूपता । समूह एव चेतरेतरयोगपद्वाच्यः । अत एव तिष्ट्रग्रहवाक्ये चह्रयादिग्रयोगः । तेन एव । चेत्रश्च मैत्रश्च पचत इत्यादौ नित्यद्विचनायन्ताख्यातपयोग एव । एकैकत्वेन द्वित्वादेविरोधेऽपि समूहबुद्धिविषयगतनानै-कत्वैरिवरोधात् । तस्य प्रतीतिर्हि इन्हे एकशेषे च भवति । यथा इन्हे धवखदिरपलाशा इति, सजातीयैकशेषे दृक्षा इति, विजातीयैकशेषे प्रातराविति भातृपुत्रावित्यनेन, न तु तथा प्रकृते-ऽस्ति प्रातृभगिन्य इति अपत्यानीति भातराविति वा । तस्मान्नेतरेतरयोगप्रतीतिरिति भावः ।

१ ख-आशयानुरोधात् । १ ख-क-फ-मानराविति पुत्राविति वा ।

ननु इन्हैं।देरभावेऽिष तस्य चार्थत्वासस्य च एकस्य चात्र सत्त्वात्साङ्काश्यकानां पाटलिपुत्र-काणां च पाटलिपुत्रका अभिरूपतमा इत्यादाविव तत्प्रतीतिः स्यादेव, अत आह । विभागेति । कर्तृत्वान्वयेनापीति पाटः । विभागे कर्तृत्वेनान्वयेनापीत्यर्थः । कचित्तथा पाट एव । तथा च दृष्टान्ते मकारान्तरावगततात्पर्यवशान्मिथः साहित्यावगतावप्यत्रेश्वरं गुरुं च भजस्वेत्यादाविवैकस्यान्यसहित-स्यान्वयेऽप्येकस्य केवलस्यैवैकधर्माषाच्छिनेऽन्वयाच समभिव्याहतस्य किञ्चिद्पाधान्यप्रतीत्यैकरूपाव-च्छिने एकरूपेणान्ययसन्त्वात् तत्कृर्तृत्वांशे समुख्ययेऽपि न तथेति भावः ।

यद्यपि कृचिन्नद्वयसस्वेऽपि न तत्प्रतीतिः कृचिन्नद्भावेऽपि तत्प्रतीतिर्गमकवशात् तथापि प्रकृते न तथा। अपिकृक्तरीतिसमुन्नायकः एवार्थो वा। विभागकर्तृत्वेनान्वाचयेनापीत्यप-पाठः। असम्बद्धत्वात्। यद्म हि चस्य क्रियान्वयस्तत्र प्रायेणान्वाचयः। तत्र चसमिन्याहृते आनु-पङ्किकत्वमितरसाहित्यं चे मिथः फलति। तथा च क्रिययोर्मध्ये सर्वे आद्यं च अन्यनिष्पाद्कयत्न- १० निष्पाद्यत्वम्। एवं च तद्याप्यम् यत्रैका मुख्याऽपरा गौणी तत्रान्वाचयविषयत्वमिति। एवं च तस्यान्यथाऽप्युपपत्तेर्नं तयोः संभूयैव विभागप्रतीतिरिति भावः।

तत्र दृष्ठान्तमाह । देवेति । यनु एवं सित 'समं स्याद्श्वतत्वाद्विशेषत ' इति न्यायत एव समत्वप्राप्तेस्तदानर्थक्यमिति तदेव तयोः सम्भूयग्रहणार्थत्वे गमकमिति श्रातृभगिन्योस्तुल्यवज्जननी-धनाधिकारित्वे समताविधानं युक्तमिति । तन्न । तत्रापि पक्षे तन्न्यायत एव तत्प्राध्या तद्ानर्थ- १५ क्यस्य तद्वस्थत्वात् । अत्रापि पक्षे पितृषने इव मातृषनेऽपि विंशोद्धारादिपसिकिनिवर्त्तकतया तस्य सार्थक्याच्च । तदेतद्भिगेत्याह । समेति ।

कल्पतरो तु ' सर्वे पुत्रा ' इति पाठः । तथा च सोद्र्या भिगन्यः साक्षात् स्वमानृदुहितरस्तु याः, तद्भावे तहोहित्रपर्यन्ताः, तद्भावे सोद्रा मृतायाः साक्षात् पुत्रा न सपत्नीपुत्राः, तद्भावे पौत्रा इति मनुतात्पर्यार्थः । एतेन—

' स्त्रीधनं स्याद्यत्यानां दुहिता च तदंशिनी । अपुत्रा चेत्समृदा तु लभते मानमात्रकम् ''॥ इति—
बृहस्पतिः—'' समं सर्वे सोद्र्या मानृकं रिक्थमईन्ति कुमार्यश्चेति ' इांखलिखितौ चेत्यादि सर्वे व्याख्यातपायम् । आद्ये—'' अप्रत्ता चेत् समृद्धा तु न लभेन्मानृकं धनम् । '' इत्युत्रार्थे पाठान्तरम् ।

" अपत्ता चेत् समूढा तु लभते मानमात्रकम् । " इति वा ।

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विशेषं प्रागुकं सूचितमेवाह । सोदरेति । सहोद्रेत्यर्थः । तथा च स्वपुत्राद्यभावे एव सप-नीपुत्राद्यः । विशेषान्तरमाह । अनपत्येति । दुहितेति । सैवेत्यर्थः । नतु हीनजातीयः सापलपुत्रो, नापि नाह्मदैवेत्यादिपागव्यवहितपद्यद्योक्ता यथायथं भर्तृमातापितर इति भावः । अपत्यं तद्प-त्यम् । ताह्मिवधो दौहितः ।

अत्र मानमाह । यथाहेति । तथा चेति पाठान्तरम् । अत्र स्त्रिया इति पित्रेति बाह्मणीति ३० कन्येति चोपादानादुक्तार्थपतीतिः । तथा हि पित्रा द्त्तं कथमपि स्त्रिया धनं कन्या हरेदित्युक्ते स्वापेक्षयैव स्त्री स्वापेक्षयैव कन्येति स्त्रीकन्याराब्द्योर्मिथःसापेक्षराब्द्त्वाभावात्सापत्नमाता सापत्न-

१ क्र-तदादारामावेऽपि । क्र-फ्र-तदादेरभावेऽपि । २ ख-फ-भाक्तं फङ्गति । क्र-मात्वे- । ३ ख-क-फ्र-ताव-त्तस्मात्तदभावे तहृद्वितुपर्यता ।

दुहितेति च गम्यते इति । तद्पत्यस्येति । बाह्मण्यपत्यस्येत्यर्थः । वाशब्दः व्यवस्थितविकल्पे । तेन तद्भावे इति लभ्यते पूर्ववत् । संग्रहेऽप्युक्तम्—

'' त्राह्मणी तु भवेत्कन्या हरेत् रिक्थं तु मातृकम् । पितुः सापत्नमातुश्च आतुश्चापि हरेद्धनम्॥''इति।

अत एव पितृपत्न्य '' इति सुमन्तुर्पि। न च सापिण्ड्याशौचमात्रविषय: सः।
५ संकोचे मानाभावात्। विनिगमनाविरहाच ।

अत्र न्यूनतां निराचष्टे **ब्राह्मणीति । क्षत्रियाकन्या**, सापि । तेन ब्राह्मणीसमुचयः । एवं सूदास्त्रीयनं ब्राह्मणी क्षत्रिया वैश्या च कन्या गृह्णाति इत्यपि बोध्यम् ।

अत्रोत्तमजातीयाया एव सापत्नकन्यकाया धनग्रहणाभिधानाद्धीनजातीयपत्नीदुहित्तॄणामप्युत्तम-जातीयसपत्नीपुत्रसद्भावे धनग्रहणं नास्तीति गम्यते।तथा च स्वतः प्रजाश्चन्यत्वात् बाह्मेत्याद्यव्यवहितश्लोक-१० इयेन भन्नीदेरिधकारपाप्तौ तद्पवादोऽनेन क्रियते इति तयोरयं न विषय इति भावः । अत्र कथञ्चने-त्यनेन कथमपि प्रकारान्तरेण लब्धमपीत्यर्थकेन पितृद्त्तातिरिक्तसर्वसंग्रहः । तेन सर्वविषयत्वमस्य ।

एतेन पित्रा द्त्तमिति विशेषणादिवाहसमयाद्न्यत्रापि पितृमातृद्त्तं कन्याया एव इत्येतद्-र्थकमिद्मिति मिश्राद्युक्तमपास्तम् ।

रिकथभाज इति । ये ऋणमितकर्त्तारस्ते रिक्थभाज इत्यर्थेन पौत्रस्यापि ताहशत्वे पुत्रा-१५ भावे स पितामहीधनभागित्यर्थः । ननु ऋणनिवारकत्वमेव तस्यासिद्धमत आह । पुत्रपौत्रेरिति । मूलोकिरियं प्राक् । अपाकरणं व्रीकरणम् । तथा च वचनद्वयपर्यालोचनयोक्तार्थलाभः । अथ अतीतायामित्यादिसार्धरुलोकस्य तृतीयपाद्ररहितस्य विषयमाह । पौत्राणामपीति । पूर्वपूर्वोका इत्यनेन कमः सूचितः ।

यत्तु पाच्याः—' जनन्यां संस्थितायामिति ' मनोः, 'स्रीधनं स्याद्पत्यानामिति ' बृह-२० स्पतेः 'समं सर्वे सौद्र्यां ' इति शंखिलिखिताभ्याम्—

'' सामान्यं पुत्रकन्यानां मृतायां स्त्रीधनं स्त्रियाम् । अप्रजायां हरेन्द्रर्ता माता भ्राता पिताऽपि वा॥'' इति देवलाच आद्यत्रये इन्द्राश्रवणेपि तत्तुल्यार्थसमुचयवाचकानुगतचश्रवणात् । तत्र सर्वत्र प्रथमं पुत्रोपादानात् मातृधने पुत्रस्याप्यधिकारादितरेतरयुक्तयोर्भातृभगिन्योविभज्य तावन्द्रनग्रहणम् । अयमेव सर्ववचनतात्पर्यभृतोऽर्थः । देवलवाक्ये तु इन्द्रश्रवणात् तथा व्यक्तमेव ।

२५ किञ्च । कुमार्या एव सर्वमातृधनाधिकारित्वे यौतकधने मन्वादेविंशेषवचनं व्यर्थे स्यात् । तथा च पुत्रकुमार्योः तुल्यवद्धिकारः । तयोरन्यतराभावेऽन्यतरस्य तज्जनम् । इयोरापि तयोरभावे ऊढायाः पुत्रवत्याः सम्भावितपुत्रवत्याश्च तुल्याधिकारः । स्वपुत्रद्वारेण पार्वणपिण्डदानसम्भवात् । अत एव प्रागुक्तद्वहित्रभावे दौहित्रस्येव धनाधिकारः, दौहित्रोऽपीति मनोः । न तु वन्ध्यातादृशविधवाद्विहित्राः । स्वसुतादिना पार्वणपिण्डदानाभावात् । अत एव नारदः (अ. १३।५०) " पुत्राभावे ३० च दुहिता तुल्यसन्तानदर्शनात् । " इति ।

पौत्रदौहित्रयोस्तु समवाये पौत्रस्यैव सः । पुत्रेण परिणीतदुहितुर्बाधात् वाधकपुत्रेण वाध्यपुत्र-बाधस्य न्याय्यत्वात् । उक्तानां सर्वेषां दौहित्रपर्यन्तानामभावे वन्ध्यातादृशविधवयोरिप सः । दयो-रिप तत्मजात्वात् । प्रजाया अभावे एव चान्येषामिषकारात् प्रागुक्तानि गौतमनारदृकात्यायन-

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वाह्यवल्क्यवचांसि तु उक्तदेवलादिविरोधात् यौतकद्रव्यमात्रविषयाणि । अत एव मनुः— (अ. ९।१३१) " मातुस्तु यौतकं यत्स्यात् कुमारीभाग एव सः । '' इति ।

यौतकं परिणयनलन्धम् । यु मिश्रण इति धातोर्थुतपद्म् । मिश्रता चैकशरीरता तेयार्विवाहा-द्भवति । " अस्थिभिरस्थीनि मांसेमांसानि त्वचा त्वचिमिति " श्रुतेः । अतो विवाहकाललन्धं यौत-कम् । कल्पतस्रप्येवम् ।

अत एव विसिष्ठः—( अ. १७ सू. ४६ ) " मातुः परिणाय्यं स्त्रियो भजेरिनिति । " परिणाय्यं परिणयनथनम् इति । तन्त्र ।

मुनीनां आशयानभिज्ञानात् । तथाहि चार्थसमुच्चयस्य सहाधिकारं विनाऽप्याख्यातोपपितः तत्र तावत्कृतेन । युक्ता च सैनेत्युक्तश्च। किश्च । उपादानमात्रेण तस्य तत्राधिकारलाभे प्रथमोपादानस्य न तत्र हेतुत्वं प्रत्युत ततः तस्य तस्याः प्रथममेवाधिकारापितिति न भविष्टिसिद्धिः । किश्च १० तद्पि न, गौतमादिवाक्ये तासामेवोपादानात् प्रथममेव, प्रत्युत नारदादिभिस्तिभिः क्रमस्य स्पष्ट-तया सामान्येन प्रतिपादनात् 'मातुर्द्दहितर' इत्यत्र युक्तश्चेतदिनोक्तप्रकारेण प्रत्यासत्त्यतिशयस्य तस्यामेव सत्त्वेन तस्यैव धनग्रहणाधिकारितावच्छेद्कत्वस्य मन्द्वायुक्तत्वेन च तथैवोचित्याच ।

किश्च । सहाधिकारित्वे उभयसत्त्वे एवाधिकारो नान्यतरसत्त्वे इति तत्रानिधिकारापत्तेः । तथा सित तयोरित्याद्यग्रिमग्रन्थासङ्गतेः । न हि दम्पत्योः सह विहितमाधानादिकमन्यतराधिकारिकं १५ कस्यापि संमतम् । लोकेऽपि सहाधिकारिकं कर्मान्यतरोण न क्रियते ।

किञ्च । अन्देत्यस्य कुतो लाभः । न हि तेषु सर्वेषु तदुपादानमस्ति । गौतमीयं तु अन्य-विषयतया योजितं भविद्गिरेव । अत एव च तिहरीघोऽपि दुष्परिहरः । कन्याशब्दस्य चाक्षतयोन्यां शक्तिः, कुमारीशब्दस्य च प्रथमवयोविशिष्टायां शक्तिः। अन्यैकवाक्यतया तु दुहितृसामान्यपरत्वमेव । अन्यथा न्यूनतापत्तेः । बृहस्पतिवाक्यं गौतमीयसमानार्थम् ।

किञ्च । तत्र 'अपत्ता चेत्' इत्युत्तरान्विय न पूर्वान्विय । अन्यथा समृढायाः कदाऽपि तद्भावे गौतमीयस्य चासङ्गतिः, स्मृत्यन्तर्रविरोधापत्तिश्च भवति । लिखितवचनातिरिकं नापि तथा-बोधकं वचनमञ्जास्ति ।

किश्च । तत्र मनोर्गतेरुकत्वेन शांखिलिखितवाक्यस्य स्पष्टमेव तत्समानार्थत्वेन चादोषः । वृहस्पितिवाक्यस्यापि तत्समानार्थतया, विविभक्तितया स्यात्पद्घटितनिर्देशेन भवद्भिमतार्थस्याक्षर- २५ मर्याद्याऽलाभेन चशब्दस्य एवार्थकत्वेन च आदौ दुहितैव तदंशिनी तद्भावेऽपत्यानां पुत्राणां स्त्रीधनं स्यात् सम्भावनलिङा तत्सत्ता सम्भवेत् इत्यर्थस्यैवानया लाभाच अदोषः । देवलवाक्यं तु मातृधनं पुत्रमात्रसत्त्वे तेनैव ग्राह्मं, कन्यामात्रस्य सत्त्वे तयैव ग्राह्मम् इत्येवं समानत्वमात्रबोधकं न क्रमबोधकम्, नापि सहाधिकारबोधकमिति न दोषः ।

किश्च। नारदादित्रयानुरोधेन मन्यादि चतुष्टयस्य तथा तत्परत्वमेव युक्तं, न तु मातुस्त्वित्येवं ३० मन्यनुरोधेन तत्परत्वम् । तदनुरोधे तु तेषां सामान्यानां विशेषपरत्वं इत्वा तेषां तत्परत्वे युक्तो 'बहुनामनुरोधः' इति न्यायविरुद्धत्वात्।

किश्च । चतुर्णी वचनानां सहाधिकारिताबोधकत्वेन तद्न्यचतुर्णी मन्त्रेकवाक्यतया यौतक-विषय कत्वस्योक्तत्वेन तयोरन्यतरस्याभावे इत्याद्यर्थस्य भवदुक्तस्य निर्मूलत्वापात्तिः । तेषामपि तत्त्वे त्वितरोधोऽस्मन्मते प्रवेशश्च । किञ्च । तस्य न भवदुक्तोऽर्थः किं त्वन्य एवेत्यनुपद्मेव स्फुटीभविष्यति। ३५ किश्च । स्वपुत्रेत्यादिहेतुरप्ययुक्तः । 'यश्चार्थहरः स पिण्डदावी ग्रत्योत्सिर्गिकिनियमसत्त्वेऽिष यस्य पिण्डद्रत्वं तस्यैव तद्धरत्विमिति नियमे मानाभावस्य प्रागेव प्रपश्चितत्वातः । अत एव—"पौजदौहिजयो- छोंके न विशेषोऽस्ति धर्मतः । " इति पूर्वाधिकि—"तयोहिं मातापितरौ संभूतौ तस्य देहतः।" इत्युक्त- रार्धेन हेतुरुक्तो मजुना (अ. ९११३९) । दुहिजभावे दौहिजस्यैवेत्यपि न युक्तम् । प्रत्यासत्त्यातिशयस्य तु दौहिज्यमिव सत्त्वाहौहिजोऽपीति मनोः प्रकरणात्पुजिकापुजविषयत्वाच । व्याख्यातं तथैव च मेधातिथिप्रभूतिभिः ।

उक्तहेतोरेव न तु वन्ध्येत्यायग्रिममपि न युक्तम् । भवदुक्तनारदृस्य पितृधनविषयत्वस्य स्पष्टस्वाच । अत एव च पौत्रेत्यादि अधिकारादित्यन्तमपि प्रत्युक्तम् । वासिष्ठे 'मातुः परिणाह्यं स्त्रियो विभजेरिनिति ' पाठस्य सत्त्वेन भवदुक्तपाठस्यैव खपुष्पायमाणत्वेन तथाऽर्थस्य दूरोत्सारितः १० त्वेन "अत एव व्यसिष्ठः " इत्यायपि चिन्त्यम् । परिणाय्यमिति प्रयोगस्यासाधुत्वाच । अत एव "आनाय्योऽनित्ये " (३ । १ । १२७) "पाम्यसानाय्य " (३ । १ । १२९) "प्रणाय्योऽसंमतौ " (३ । १ । १२८) इति निपातनं पाणिनीयं सङ्गच्छते । अत एव कत्त्यवर्तादिनिरिपि तथा पाठं घृत्वा 'परिणाह्यं परिच्छद् आदर्शकङ्कणादिरिति ' व्याख्यातम् । अत एव स्त्रीपुरुषधर्मप्रकरणे— "शौचे धर्मेऽन्नपत्त्यां च परिणाह्यस्य वीक्षणम् । " इति १५ मन्वेकवाद्यताऽपि सिद्धा । तत्रापि कत्यतरुणा तथैव व्याख्यातम्।णिजन्ताद्चो (व्या. सू.३।१।९७) यति तु अर्थासङ्गितिः । निवृत्तपेषणादिति तु तस्य सत्त्वेऽगतिकगतिः ।

यद्पि पत्यासनदुहितृपद्नैवान्वयपद्स्यान्वयादुहित्रभावे दौहित्रीणामेव स इति नारदार्थों न युक्तः । दुहितृपद्स्य जन्यविशेषवचनत्वेन जनकाकांक्षित्वेन तस्या जात्यन्तरेणान्वयपदोपनेय. पुत्रेणान्वयपस्यासमत्वेनासम्भवात् । न चाधिष्ठानलक्षणयाऽन्वयः । मात्रन्वयमात्रेणैव सर्वेषां मुख्यत्वसम्भ-२० वात् । मातृगदान्वये च दुहितृपद्मुख्यत्वस्य स्वीकारात् । न च तद्न्वय इति तच्छब्दोपाचदुहिन् तुरन्वययोग्यता । तच्छब्द्स्यापि पक्तवाचितया दुहितृत्वरूपेणैवोपपाद्कत्वात् । किश्च । मूलवाक्ये दुहितर इति प्रथमान्तं ताभ्य इति पश्चम्यन्तं च षष्ठचन्तान्वययोग्यान्वयपदेन नान्वेति, किं तु व्यवहितमपि मातुरित्येव । तत्र तथा निश्चये नारदीयादावपि तथैवाविरोधात् इति । तदिपि न । प्रागुक्तस्य नारदार्थस्याज्ञानात् । मातृपत्यासत्तेः प्रागुक्तत्वेन त्वदिष्टपत्यासत्तरभावेन दोषस्याज्ञान-२५ विलिसितत्वात् । मूलसमानार्थत्वे तद्न्यतरस्य तत्पद्स्य चानर्थक्यापत्तेः । अत एव दुहितृपद्नास्माकं नान्वयपदान्वय एवेति सर्वथा दुहितृपद्स्य इत्याद्यक्तेरयुक्तत्वात् तच्छब्दस्य पक्तत्परामर्शकत्वेऽपि दुद्धिस्थत्वेनेव तद्दोधकतया दुहितृत्वरूपेण तद्भावेनान्वययोग्यतायाः षष्ठचन्ततया सत्त्वेनाव जनकाकांक्षाया अभावेन पत्युत सम्बन्ध्याकांक्षाया एव सत्त्वेन लक्षणायाश्चाभावेन प्रागुक्तं न वे ' त्याद्यक्रिश्यासङ्कतत्वात् । तस्माद्विज्ञानेश्वरोक्तमेव युक्तमिति दिक् ।

३ • 'रिक्थं दिवं गतेलु सुतगामीति ' **बौधायनीयं** तु पितृद्रव्यविषयकमिति ततो " न व्यवहितदौहित्राधिकार '' इत्यपि तदुक्तं चिन्त्यमेव ।

एतेन "विवाहलब्धं स्त्रीधनं दुहितुरेव न पुत्राणाम् । तत्रैव कमार्थं गौतमीयम् । "तत्र पूर्वममूढानां तद्भावे सपुत्राणां तद्भावे समूढानां दुहित्यूणामिति" । सामान्यपाप्तेऽपत्तानामित्या-देस्तु कमार्थत्वेनोपसंहारसमर्थत्वात् " इति परास्तम् । विशेषाभावात् ।

२०

यद्पि अप्रजःस्रीति सूल्रमपि विवाहलन्धविषयमेव । ब्राह्मादिविवाहेषु यहन्धं अध्यक्षिमं तत् अभावे आदौ दुहितॄणां तत्रापि प्रथमं कन्यायास्तद्भावे सपुत्रायास्तद्भावे ऊढायाः । स्वृद्धित्रभावे च पुत्रस्याधिकारः । अप्रजःस्रीधने च भर्त्तुरिधिकारः । वृहस्पितिनाऽप्यप्रजः । वृहस्पितिनाऽप्यप्रजः । वृहस्पितिनाऽप्यप्रजः । वृह्यस्पितिनाऽप्यप्रजः । वृह्यस्पिति । वृह्यस्पिता । तद्न्यस्य सर्वस्य सर्वस्य सर्वस्य समुच्चयात् । न च अपिसमुच्चेयं प्रागन्यदुक्तमिति वाच्यम् । शेषेष्वितिवत्तत्रत्राप्युपलक्षणत्वेनेव तद्र्थलाभेन तत्र तस्यात्यन्तमनुपयोगात् । किंचः साक्षात् दुहितृपरतया व्याख्याने मातुर्दुहितर इत्यनेन गौनरुस्यापत्तेः ।

यद्पि '' न च न यौतकमात्रधनाभिपायामिदं किं तु बाह्य।दिना विवाहिताया यद्यावद्धनं गौतकमयौतकं वा तद्भिपायकमिति वाच्यम् । तथा सित बन्धुद्त्तमित्यव्यवहितपाग्रक्तसंपूर्णश्लोकस्य १ • निर्विषयतापत्तेः '' इति । तद्पि न । बन्धुद्त्तमित्यर्धेन तथादिशब्द्स्वारस्येन स्त्रीधनस्यैवोक्तान्यस्य प्रतिपाद्यत्वेन तस्य पूर्वशेषत्वेनादोषात् । सम्पूर्णस्य तस्येकवाक्यत्वे च तेन तस्य पूर्वशेषत्वेनोत्तरार्द्धेन- सामान्येन तिद्यागस्य प्रतिपाद्यत्वेन अप्रजःस्रीत्यस्य तद्यवस्थापकत्वे तत्पदानर्थक्यापत्तेः ।

किं च मनुना 'अध्यातियादिना' षड्विधं स्त्रीधनमुक्त्वा समजास्थले—( अ. ९।१९५ ) "अन्वाधेयं च यद्तं पत्या प्रीतेन चैव यत् । पत्यो जीवित वृत्तायाः प्रजायास्तद्धनं भवेत्॥"

इत्यनेन "आयचेनोक्तषड्विधसंग्रहो द्वितीयचेन तद्न्यसर्वसंग्रहोऽन्यथा न्यूनतापत्तेः " इत्यधिकेन तथोक्त्वा तैच्छून्यस्थले बाह्नोत्यादिश्लोकत्रयेण व्यवस्थया तथोक्त्वेन तद्वि-रोधापत्तेश्च । एतेन " यत्तु विवाहोत्तरं पितुर्मातुर्भेतुश्च कुलात्तया लब्धं तत् भ्रातॄणामेव । तदुक्तं मूले वन्धुद्त्तमित्यादिना तद्वापुयुरित्यन्तेन । वन्धुद्त्तं मातापितृद्त्तम् । तत्पुत्राश्च भ्रातर एव वान्धवाः । तद्दाह बुद्धकात्यायनः—

" पितृभ्यां चैव यदत्तं दुहितुः स्थावरं धनम् । अप्रजायामतीतार्यां भ्रातृगामि तु सर्वदा ॥ ''

इति । अप्रजस्त्वमात्रनिमित्तत्वेन भ्रात्रधिकारावगतेः । सर्वदा सर्वविवाहेषु । स्थावरपदाइण्डा-पूपन्यायादेवान्यस्य धनस्य सिद्धिः । बन्धुदत्तपदेन कन्यादशायां यत् पितृभ्यां दत्तं तदुच्यते । विवाहात्परतो लब्धस्यान्वाधेयपदोपात्तत्वात् । विवाहकालीने च भर्तुः पित्रोवीऽधिकारात् " इत्यपि तद्युक्तमपास्तम् । बन्ध्वादिपदस्य तत्राशक्तेश्च वृद्धकातीयगतिस्तु वक्ष्यते इति दिक् ।

न चैवमपि मूलस्य ब्याख्यानस्य च मनुविरोधः । मूले चतुर्णो विवाहानां ग्रहणम् ।

" बाह्मदैवार्षगान्धर्वपाजापत्येषु यद्सु । अप्रजायामतीतायां भर्तुरेव तदिष्यते " " यत्त्वस्याः स्याद्धनं दत्तं विवाहेष्वासुरादिषु । अप्रजायामतीतायां मातापित्रोस्तदिष्यते ॥"

इति मानवे (अ. ९ श्लो. १९६।१९७) आदी पश्चानामग्रे त्रयाणामिति तयोविरोधः। व्यास्यात्रा पुनवाह्मीद्र्षु चतुर्ष विवाहेषु। भार्यात्वं प्राप्ताया अतीताया इत्यादि व्यास्यातम्। ३ भानवे तु बाह्मादीनां आसुरादीनां च शब्दानाम्।

"अष्टाविमान्समासेन स्त्रीविवाहानिवोधत । " (अ. ३।२०) इत्युपऋम्य " ब्राह्मी दैवस्तथैवार्षः प्राजापत्यस्तथाऽऽसुरः । " (३।२१) इत्यादिमनोः ।

"अष्टो विवाहा वर्णानां संस्कारार्थं प्रकीर्तिताः । बाह्मस्तु प्रथमस्तेषाम् 'रहत्यादि**नारवात्** (अ.१२।३८)

"अष्टी विवाहा भवन्ति बाह्रो दैव " इत्यादिविष्णोश्च तत्तालक्षणविवाहपरत्वेऽपि वर्तमान-सम्बन्धेन विवाहकाललक्षणया तेषां कालार्थतया निर्देशेन अस्याः स्याद्वत्तमित्यिश्रमस्य पूर्वत्रानुषङ्गौ-चित्येन तत्र तत्र काले यद्धनं द्त्तमिति संन्बधेन विवाहिकधनमात्रप्रतीतेर्न तदीययावद्धनविषयत्व-मिति तयोविरोधः।

अत एव यमः—" आसुरादिष्ठ यद्रव्यं विवाहेष्ठ प्रदीयते ।" इत्यादि । विवाहिकयायां पूर्वापरीभूतायां यत् द्रव्यं प्रदीयते इत्यादिः तद्र्यः । तथा च यौतकधनमात्रविषयत्वमेव तस्य । न चैवं विवाहात्पूर्वमनन्तरं वा लब्धस्य धनस्य का गतिस्तेनानुक्तत्वाद्तो ब्राह्मादिपदं स्त्रीपरमिति वाच्यम् । तत्रान्यथा गतेर्वचनान्तरैः प्रतिपादितत्वात् । तेषां स्त्रीपरत्वे च एकत्वेन षष्ठ्या च निर्दे-१० ष्टुमुचितत्वात् । यत्त्वस्याः स्यादितिवत् लक्षणायास्तुल्यत्वेऽपि अतिक्रान्तविवाहसंबन्धेनेदानीं सेति जधन्यायास्तस्या अनौचित्यात् । ब्राह्मादिपदस्य ऊढस्रीवाचकत्वं तु प्रागुक्तमन्त्वादिविरुद्धमेवेति प्राच्योकं युक्तमिति वाच्यम् ।

आर्षत्विविशेषणेकवावयताया असम्भवेन विरोधाद्वान्धवाँशे विकल्पस्वीकारेण तयोरविरोधस्य पामुक्तत्वात् । मानवे एव च गान्धवाँशे विकल्पसंभवात् । एकवावयतायां दुराग्रहे तु अपिशब्दे १५ तन्त्राङ्गीकारादावृत्त्या द्वितीयेन तेन शेषिष्वितिवदुपलक्षणत्वेन निर्वाहेण यथाश्रुतेन तेन वा तद्नुरोधेन गान्धर्वस्य समुच्चयात् । ब्राह्मादिष्वित्यत्र ब्राह्मिति भिन्नं ल्रुप्तविभक्तिकं पद्म् । आदिष्विति भिन्नम् । आदिशब्दे च आकारप्रश्लेषः । स च आजशब्दैकदेशो विनाऽपि प्रत्ययमिति न्यायादिति आः आजः ब्राह्मः आदिशेषां दैवादिचतुर्णां तद्नयेषामित्यतद्भुणसंविज्ञानबहुर्वीहिणा तद्नयेषां चतुर्णी लाभाच तत्संभवेनादोषात् । एवं प्रकारद्वये व्याख्यानिवरोधस्याप्यभावात् । परं तु द्वितीये पक्षे प्राजाः १० पत्येष्वित्यत्र व्याख्याने मूलोकस्य अपः शेषः तथा पाठ एव वा । तेन गान्धर्वसमुच्चयः । अग्रे च शेषेष्वासुरराक्षसपैशाचेष्विति पाठः, गान्धर्वघटितोऽपपाठ इति बोध्यम् ।

न चैवमप्यन्यथा प्रागुक्तव्याख्यानविरोध एवेति वाच्यम् । मनुना—( अ. ९ । १९० ) " संस्थितस्यानपत्यस्य सगोत्रात्सुतमाहरेत् । तत्र यद्रिक्थजातं स्यात्तत्तिमन्त्रतिपादयेत् ॥ "

इति तन्मरणोत्तरमपि वाग्दत्तादिविषये नियोगविधिना सगोत्रात् सुतस्य उत्पादितस्य धना-२५ धिकारित्वमनेन विधीयते इत्येवं पितृधने उक्त्वा— (९।१९१)

" द्दौ तु यौ विवदेयातां द्दाभ्यां जातौ स्त्रिया धने । तयोर्थद्यस्य पित्र्यं स्यात्तता गृह्णीत नेतरः ॥ "

इत्यनेन— " यथेकरिक्थिनो स्यातामि '' त्योरसक्षेत्रजयोरक्तम्, इदं त्वोरसपौनर्भविषयम्। यदोत्पन्नोरसा मृतमर्गृकत्वाद्वालापत्यतया स्वामिधनं स्वीकृत्य पौनैर्भवभर्तुः सकाशात्युत्रान्तरं जनयत्, तस्यापि मृतत्वादिक्थहराभावाद्धनं गृहीतवती, पश्चात् द्वाभ्यां जातयोः पौढयोस्तयोस्तादृशे
३० स्वीधनविषये विवादेऽपि स्वस्वपित्र्यमेष तेन याद्यं स्वीधनं नान्यदीयमन्यजेन '' इत्यर्थकेनोत्तवा, स्वीधनं तिहैं केन याद्यमितिशङ्कानिरासाय 'जनम्यां संस्थितायां त्वि 'त्यनेन तिद्वषये पागुक्तरीत्योक्तवा, मागुक्तरीत्या पितृधनवच्छङ्कानिरासाय 'यास्तासां स्युर्दुहितर ' इत्यनेन पागुक्तरीत्योक्तवा, स्वीधनं कीदृशमितिशङ्कानिरासाय 'अध्यप्ती ' त्यादिना पड्विषं स्वीधनमुक्त्वा, षट्तं न्यूनसंख्याया व्यवच्छेद्कं नाधिकसंख्याया इति ध्वनयन्त, प्रजा स्थात्सन्ततौ जने इति कोशात्

१ क-पुनः मर्तुः सकाशात्।

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तस्य सन्तितिपरत्वेन जनन्यामिति प्रागुक्तपये पूर्व पुत्रस्तद्भावे कन्या द्वयोः संभूय वा अहणामित्य-सिद्धान्तसम्भावितपक्षद्वयनिरासाय कृतेन प्रजाया इति स्त्रीलिंगनिर्देशेन पूर्व कन्यादेस्ततः पुत्रादेरिति सूचनाद्वारा न्यूनतानिरासाय जननामित्येकवाक्यताये च चद्वयद्त्तयत्पद्द्वयसहितेन एवशब्दस्यायेऽ-न्वयेन " यत् अन्वाधेयं, प्रीतेन यत् पत्या दत्तं च चच्चान्यत्, तत् प्रजाया एव सर्व स्त्रीधनं न भन्नीदेः " इत्यर्थकेन—

"अन्वाधेयं च यहत्तं पत्या प्रीतेन चैव यत् । पत्यो जीवति वृत्तायाः प्रजायास्तद्धनं भवेत् ॥ '!
मनुः—( अ. ९।१।९५)

इत्यनेनोक्त्वा, तच्छ्न्यस्थलेऽपि न्यूनतानिरासाय सर्वतद्धनगतिं विवाहभेदेन प्रतिपाद्यता यस्तस्याः स्याद्धनं द्त्तमित्यस्य तथोपात्तस्य यथासम्भवमुभयत्रान्वेन तोश्चार्थकृत्वेन किवित्तथेव पाठेन विवाहोष्वियुत्त्या ब्राह्माद्धानां विवाहमात्रवाचकत्वेन काललक्षणाया अप्यभावेन सितसप्तया १० "तेषु आधेषु सत्सु अस्या इति शेषषष्ठचा अस्य द्त्तं च धनं स्यात् विवाहात् प्रार्थत्तरं तत्र वा चेनान्यसर्वसमुख्यस्तत्सर्वं तस्यां ताष्टश्यामतीतायां भर्तुरेवेष्यते, आसुरादिषु तेषु तससु पूर्ववत् तद्धनं मातापित्रोरिष्यते न तु भर्तुः तत्राद्दो मातुस्तद्भावे पितुक्त्वारणकमात् योगपधे हि पित्रोरित्येव ष्र्यात् " इत्यर्थकेन बाह्मदेवेत्यादिश्लोकद्येनोक्त्वा, तत्रैवोभयापवाद्वेवेनक्रित्या "स्त्रियास्तु यद्धवेनद्वित्ति " त्यनेन सर्वधनविषये उक्तवेनान्यथा मनुनाऽन्यस्यानुकत्वेनाध्यग्नीत्यादिवेध्यापत्त्या १५ स्वोक्तमध्ये एव सर्वथा मनुन्यूनतायाः दुष्परिहरत्वेन तद्दीत्येव व्याख्यात्राऽपि ब्राह्मादीनां विवाहमात्रवाचकत्वं न तु कापि लक्षणा सातसप्तमी च भार्यात्वं प्रप्ताया इति तु फलकथनमिति आधेषु सत्सु तस्यास्ताद्यश्यास्तत्सर्वं धनं भर्तुर्दित्येषु सत्सु आद्दो तद्दत् तद्धनं सर्वं पितृगामि आद्दो मातृगामि तद्भावे पितृगामि मन्वनुरोधादेवेत्युक्तमिति तच्छङ्काया एवाभावात् ।

अत एव कुळू कभद्वेन सर्वधनपरतयेव बाह्येत्यादिइयादिपूर्वं चन्यांख्यातम्। एतेन मकुविरोधाद्- १० ष्रजःश्रीत्यस्य पागुक्ततद्न्यतराभिपायकत्वं न युक्तमित्यपि मिश्राद्युक्तमपास्तम् । द्वितीये बाह्येत्या-देवैयर्थ्यापत्तेश्चेति दिक् ।

अत्र केचित् । मनुना ' मातापित्रोरित्यनेनेकदेशानुमतिद्वारा शुल्कधनविषयोऽपि गौतम-वौधायनोक्तः सूचित इति न न्यूनता नापि विरोधः । तथा च बौधायनः

" रिक्थं मृतायाः कन्याया गृह्णीयुः सोदराः स्वयम् । तद्भावे भवेन्मातुस्तद्भावे भवेन्पितुः ॥ इति । २५ समिति पाठान्तरम् । इते। पि मातापिञोरित्यादौ तथैव कमो विवक्षितः । गौतमस्तु पागुक्त एव ।

"पितृभ्यां चैव यहत्तं दुहितुः स्थावरं धनम् । अप्रजायामतीतायां भ्रातृगामि तु सर्वदा॥ ११

इति वृद्धकात्यायनोक्तं तु निर्मूलम् । समूलत्वेऽपि यथासम्भवं प्रागुक्तशुक्कविषयम् । अत एव सर्वदेत्युक्तम् । तच सर्वविवाहेष्वित्यर्थकम् ।अतो व्याख्यात्रोक्तशुक्कविषयता नेति न तिहरोधोऽपि । ३ ७ मनुना तस्यैवानुकत्वात् ।

"बन्धुद्तं तु बन्धूनामभावे भर्तृगौमि तत्।"

**१ ख फ-**प्राग्रत्तरत्र वा । २ फ-भ्रातृगानि ।

इति कातीयमपि शुल्कविषयमेव । बन्धूनामित्यस्य आतृणामित्यर्थात् । प्रागुक्तदेवस्त्रवाक्ये तु पूर्वार्धेवदुत्तरार्धमपि सर्वसाधारणमेहेत्याहुः ।

एतेन अतो विवाहकाललब्धस्नीधनविषयं ब्राह्मादिवचनम् । आसुरादिविवाहलब्धस्नीधनं तु जीवत्यिप भर्नृरि मातुरादौ तद्भावे पितुः । मानवेऽप्येवम् । अन्यथा पित्रोरित्येव ब्र्यात् । कन्याधने पितुरिपकारअवणाद्त्रापि तथैवौचित्यात् । तथा च रिक्थमिति वौधायनोक्तं कन्याधनविषयकम् । न च कन्याधने इवात्रापि पूर्वं भ्रातुरिधकारापितः । तद्दत्र वचनाभावात् । पित्रोरिव तच्छुतेः । तदेवमादिकमप्रजःश्लीधनमादौ भ्रातरो गृह्णीयुः । न त्वासुरादिविवाहेषु यत्कन्याभ्यः ग्रुत्कद्मानं तद्भिमायम्, आसुरमात्रगोचरत्वात्तच्छुत्कस्य । 'आसुरो द्रविणादानादि'त्युक्तेः । अतो राक्षसादौ ग्रुत्काभावात्तत्साहचर्यणासुरादिव्वेव यद्धनं तन्मात्रस्य भ्रातृगामित्वाभिधानं हेयमेव । तथा राक्षसादौ ग्रुत्काभावात्तत्साहचर्यणासुरादिव्वेव यद्धनं तन्मात्रस्य भ्रातृगामित्वाभिधानं हेयमेव । तथा तस्य स्त्रीधनत्वाभावाञ्च । पित्रादिगृहीतधनस्यैव ग्रुत्कत्वात् । तथा च मनुः—( अ. ३ । ५१ ) पितत्युपलक्षणम् । तेन भ्रात्रादिगृहीतधनस्यैव ग्रुत्कत्वात् ग्रुत्वे ग्रुत्वेव ग्रुत्कभणम् । तेन भ्रात्रादिग्रुत्वेव ग्रुत्कक्षणस्थानसम्यत्त तद्कवाक्यतापक्रयोविन्धु-दत्तान्वाधययोरिय आसुरादिविवाहगोचरयोरिव भ्रातुरिधकार । इति तिक्षरस्तम् । किं तूक्तग्रुत्क-रुत्तान्वाधययोरिय आसुरादिविवाहगोचरयोरेव भ्रातुरिधकार । वाक्ष्यादिशेषानवगमात् ।

मागुक्तगोतमीयमि कातीयतुल्यार्थम् । अयं हि तस्यार्थः । आदी सोद्याणां, तद्भावे मातुः । पूर्व वैके इति परमतम् । अत आदी सोद्राणां तद्भावे मातुस्तद्भावे पितुस्तेषामभावे भर्तु-रिति । तथा च कातीयं, बन्धुद्त्तं त्विति । बन्धूनामभावे इत्यनेन भ्रातुरभावे इत्यपि सूचितम् । भ्रातुरभावे पित्रोर्धनाधिकारस्य दण्डापूपन्यायात्सिद्धिः इत्यपि तदुक्तमषास्तम् ।

२० तस्य सर्वविषयत्वात् । बोधायनायुक्तस्य ग्रुट्कविषयत्वात् । अत एव न चेत्याद्रेरयुक्तत्वात् । त्वद्दीत्या देवळवाक्यस्य सत्त्वात् । अत एव तद्वेवित्यायुपसंहारस्यायुक्तत्वात् यथासंभवमुक्तवचनानां ग्रुट्किविषयत्वेन न त्वासुरादीत्याद्रेरयुक्तत्वात् । त्वयाऽप्यमे किं त्वित्यादिना तथेवोक्तत्वेन अस्य "बौधायनोक्तं कन्याधनविषयकम्" इत्यस्य च तेन विरुद्धत्वात् । तस्य स्वीधनत्वस्य प्रागुक्तत्वात् । पित्रादिगृहीतस्यैव तत्त्वस्य मन्वादितोऽलाभात् । तस्य तिन्विषकथनद्वारा ब्राह्मादिविवाहप्राशस्त्य-२५ परत्वात् । तत्राप्युपलक्षणत्वेन भ्रात्रादीत्यनेन मातुरिप ग्रहणसंभवेन मिथो विरोधात् । अत एवोपसंहारस्यायुक्तत्वात् । अत एवासमाकं तन्मतस्यैवाभावेन तिभरासस्यादोषावहत्वेन अत इत्यादेरसंबद्धत्वात् । गौतमीयकातीययोर्भिनार्थत्वस्य प्रागुक्तत्वेन तुल्यार्थत्वाभावात् । उभयत्र मध्येऽध्याहारेण व्याख्यानस्य निर्वीजत्वात् । अन्यथाऽनुपपत्त्या हि सः । न तु सा तत्रास्ति । प्रागुक्तित्या निर्वाहात् । अत एव कल्पतरुणाऽपि गौतमीयं तथेव व्याख्यातम् । ऊर्ध्वपद्समिन् व्याहारे तथेव ऋषिशैलीसस्वात् । बन्धूनामभावे इत्यस्यैव तथार्थकत्वेन सूचितमित्यस्यासंबद्धत्वात् । अत एवाग्रिमोक्तरेपि क्रिष्टस्वाचैति दिक् ।

'मातुस्तु यौतकमिति ' पुत्रिकापकरणस्थमानवमपि सर्वेकवाक्यतानुरोधेन सर्वधनविषय-कम् । अत एव मातुर्यद्धनं स्थात्तत् तस्यां मृतायां कुमारीभाग एवेति सामान्यत एव तत् व्याख्या-

९ फ-वाक्याविशेषानवगमान्।

₹ 0 .

तम्। मेघातिथिनाऽपि यौतकं पृथाभूतिमित्येवं व्याख्यातं, यु मिश्रणामिश्रणयोरितिधात्वनुसारात्। युक्तं चेतत्। "विभागभावना ज्ञेया गृहक्षेत्रेश्च यौतकैः।" इत्यिममूलवाक्ये (१५९ श्लो.) तथैव सर्वसंमतत्वात्। त्वद्गीत्याऽपि तोश्चार्थकत्वेन समुचायकतया सर्वधनग्रहणसंभवात्। एवं सिति अन्वाधेयं चेति अध्यग्न्यध्येत्यिमम् ऊढाविषयं क्रमेण दौहिज्याद्यर्थं पुत्राद्यर्थं चेति न वैयर्थं तस्य। अत प्वानुरोधेनापि समञ्जसवचनानामाद्धलीकरणमसंगतमेव तेषामिति दिक् ।

बस्तुतस्तु कातीयद्दयस्योढामात्रविषयत्वेन प्रागुक्तान्यार्थासम्भवेऽपि बौधायनीयम् अनूद्वा या वाग्द्त्ता जीवन्ती अवाग्द्त्ता वा तद्दिषयकम् । कन्याशब्दस्याक्षतयोनिमात्रवाचकस्य साधारणतया तत्रापि प्रवृत्तेः । तदीयधनमविषयं पितामहादिद्त्तमेव । वक्ष्यते चेदं व्याख्यात्राऽनुपद्- मेव । न तु शुल्कपरं तत् मानाभावात् । अत एव रिक्थपदोक्तिस्तत्र । तस्य दायवाचकत्ववत्सामान्य- धनवाचकत्वस्यापि कोशतः सन्तेन तत्रापि प्रवृत्तिसम्भवात् । अत एव 'मातापित्रोरिति ' मनुना १० तस्यैकवाक्यता न । तस्या विवाहविशेषविषयत्वाद्यावत्स्त्रीधनविषयत्वाद्य । गौतमस्यापि ऋषि- सिद्धार्थस्योक्तत्वेन तदेकवाक्र्यताऽपि तयोर्न । तस्य शुल्कमात्रविषयत्वस्य स्पष्टत्वाद्य ।

यद्यपि पाणिनीये "तद्सिमन्दृद्ध्यायेति " (५।१।१०) सूत्रे आयादिसाहचर्या-लांज्ञादृद्धेरग्रहणम्, उपदेति टाबन्तम्, उत्तमणेंन मूलातिरिक्तं ग्राह्यं दृद्धिः, ग्रामादिषु स्वामिग्राह्यो भाग आयः, विक्रेत्रा मूल्याद्धिकं ग्राह्यं लाभः, रक्षानिमित्तभृतिरूपो राजभागः ग्रुल्कः, उत्कोच १५ उपदा उपहार इत्यन्ये, ग्रुल्कग्रहणं पपञ्चार्थे तस्याप्यायिवशेषत्वात्, तथा च शौल्कशालिक इति 'ठगायस्थानेभ्यः ' (व्या. सू. ४।३।७५) इति ठग् भवति " इत्यभियुक्तेव्याख्यातम् । तथापि अञ्चत्यपरिभाषा भिन्नेति तात्पर्यम् । तथा च व्याख्याञ्चकग्रुल्कधनं न प्रजामाञ्चस्य भन्नोदेश्व, किं तु सोद्र्याणां, तद्भावे मात्रस्तद्भावे पितुस्तद्भावे तत्यत्यासन्नानामिति । एवं तदुक्तवन्धुद्त्तमपि न प्रजामाञ्चस्य माञादेश्व, ितं तु बन्धूनां भ्रात्रूणां, तद्भावे भर्ञादेः । " बन्धुद्तं तु बन्धूनामभावे २० भर्युगामि तत् । " इति कातीयादिति बोध्यम् ।

एवं वृद्धकातीयस्य सम्हल्येन तद्पि जङ्गमस्थावरान्यसौद्यिकधनविशेषे । अप्रजःस्रीधन-मित्यादि सर्वविवाहेष्यादावपवादकं, तद्भावे तथेव । तत्र चेन आतृपितृत्यादि । एवेन भर्तृकुल्य्यव-च्छेदः । धनं चनं च । अप्रजायामित्यार्षम् । अत एवान्यगृहीतो ' अप्रजायामतीतायां बान्धवा ' इति मूलपाठो व्याख्यात्रा त्यक्तः । मानवद्वयेऽपि तथेव बोध्यमिति तदाशयः । तुश्र्वार्थे तेन तद्- २५ भावे तथेत्यस्य समुज्ञयः । सर्वदा सर्वविवाहेषु । प्रजासत्त्वे तु तस्या एवोक्तरित्येति बोध्यम् । "अपुत्रायां मृतायां तु पुत्रिकायां कथञ्चन । धनं तत् पुत्रिकाभर्ता हरतेवाविचारयन् ॥ "

इति मनुस्तु (अ. ९।१३५) भर्तुः अपूर्वधनसम्बन्धबोधकः । स च पुत्रिकामकरणस्थः । संवित्कृता पुत्रिका । तद्ग्वितेन कथंचनेत्यनेन तथा न कृता किं त्वभिनता तस्या अपि ग्रहणम् । अत एव भातृमतीमिति । विशेषणं तत्र सफलमित्युक्तं प्राक् ।

अत एव ''अपुत्रायां कथंचन पुत्रिकायां मृतायां प्रकरणात्पैतृकरिक्थरूपतदीयधनं पितृसत्त्वे-ऽपि तद्भतैवाविचारयन् गृह्णीयात् पुत्रिकायाः पुत्रसमत्वेनानपत्यस्य पत्नीरहितस्य मृतस्य पुत्रस्येव ब्राह्मादिष्वपि पित्रादेर्धनग्रहणप्रसङ्गे तिनवारणार्थमिदं वचनम् '' इति तद्माख्यातारः । "प्रेतायां पुत्रिकायां न भर्तो द्रव्यमहत्यपुत्रायां कुमायीं मात्रा स्वस्ना वा तत् बाह्यामिति " पेठी-निस्तु निर्मूलः । समूलत्वे वा आर्षत्वाविशेषाद्विकल्पोऽस्तु । परंतु तत्रापि मनोः प्रामाण्यातिशया-तद्वानुष्ठेयं न तदित्यननुष्ठानलक्षणमप्रामाण्यमेव तस्येति दिगिति बोध्यम् ।

एतेन 'अस्यां यो जायते पुत्रः' इति पुत्रिकाविषयं मानवम्, 'इयं मे पुत्र ' इति पुत्रिका-पृत्रीनसामिति । एवं 'भगिनीशुल्कमिति ' गौतमीये ''ऊर्ष्वे मातुः सोद्र्याणामभावे मातुरिति'' व्याख्याय तद्वभयाभावे पितुरित्युक्त्वा तत्र बौधायनीयं मानत्वेन संलिख्य रिक्थं शुल्क-मिति व्याख्याय पित्राद्यभावे तु भर्तृगाम्येवेत्युक्ते बन्धुद्तं त्विति कातीयं मानत्वेन संलिख्य बन्ध्यः पृत्राद्य इति उक्तम् । तथा श्रीधनविषये इत्थं व्यवस्था—तत्राध्यग्निकृतं तास्विप कुमार्य एव लभन्ते नोढाः, मातुस्त्विति मनोः । तत्र यौतकं प्राच्योक्तभेव उक्तवसिष्ठात्। पारिणाय्यमित्यस्य स १० एवार्थः । स्त्रियः कुमार्थः । कुमारीवद्प्रतिष्ठिताऽपि । स्त्रीधनमिति गौतमात् । स्त्रीधनं पैतृकं कुमारी अभावे ऊढाऽपि कन्येव लभते न पुत्रः । गुणलोपे तु मुख्यस्थिति न्यायात्, दुहितृपद्सामर्थ्याच । एवमप्रतिष्ठिताया अभावे प्रतिष्ठिताऽपीति । अन्वाधेयं तु स्त्रीपुंनपुंसकसाधारणप्रजायाः । '' अन्वाधेयं तु यदत्तं पत्या प्रीतेन वा पुनः । '' (अ. ९।१९५) इति मनोरिति ।

यत्तु पत्युः रिक्थत्वेन मात्रा लब्धं तत् पुत्रैर्नुहितृभिश्च समं विभाज्यम् । जनन्यामिति मनोः, १५ भगिन्यः कुमार्थः सममिति शांसिलिश्विताभ्यां, समौनमिति देवलाच । ऊढास्तु तुर्योशमात्रं लभन्ते, न समम् । श्रीधनमिति बृहस्पतेः । अनूढानां पितृधने इवोढानां मातृधने तथैवेत्युक्तं प्राकृ ।

यत्तु---

अप्रतायास्तु दुहितुः स्त्रीधनं परिकीर्त्तितम् । पुत्रस्तु नैव लभते प्रतायां तु समांशभाक् ॥ '' इति, तत् अप्रतासद्भावेऽपि प्रतायाश्चतुर्थोशस्मरणात्तद्भावे समांशस्य न्यायप्राप्तत्वमित्येवं- २० परम् ।

"भगिन्यो बान्धवैः सार्धे विभजेरन्समं ततः । स्त्रीधनस्योति धर्मोऽयं विभागस्तु समः स्मृतः ॥ '' इति कातीयात् ।

एतेन "श्रातृभगिन्योः सम्भूयांशहरत्वं नास्ति इतरेतरयोगस्य इन्हेकशेषाभावाद्पतीतेः " इति परास्तम् । "चार्थे इन्द्रः " (व्या. स्. २।२।२९) इत्यनेन तस्य चार्थत्वात् । देवलीये २% इन्द्रश्वणाच । यौतकभिन्ने सर्वत्र दुहितृदौहित्रीसमवाये तस्या अपि किञ्चिद्देयम् । यास्तासामिति मनोः । मृतमातृकाणां तु तासां " पितृतो भागकल्पना " इति न्यायात् पुत्रदुहित्रादिभिः समवाये समांशभाक्त्वमेव । दुहित्रभावे तु पुत्र एवेति । उभयत्र तद्भावे तत्पत्यासन्नानां ग्रहणं तु "अनन्तरः सपिण्डाय" इत्यादिमन्यायनुरोधेन पत्न्यादौ पूर्वं क्रूतेन न्यायेनोक्तम् । अनन्तर इत्यस्य सामान्यस्य उक्तीरसायनन्तरमुत्तया तन्मात्रपरत्वे तस्य सामान्यस्य वैयर्थ्यापत्त्याऽनुक्तपत्न्यादिद्यायपरत्विमिनै ३० तत्परत्वमपि । तत्रानन्तर्यमपि पागुक्तादृशपत्यासत्त्यितशयङ्कतमेवोति तत्कमेणैव तद्धिकार इति न कोऽप्यये दोष इति विद्यानेश्वराशयः ।

विशेषवचनानि तु प्रकृतिवषयेऽग्रे नोपलभ्यन्ते । पत्न्यादिविषये विद्यमानान्यपि वचनानि तदनुरोधेनैव योजितानि । तस्यैव मुख्यबीजत्वात् । एवं च—

१ क-ख-फ-सामान्यामीति।

" मातृष्वसा मातुलानी पितृष्यश्ची पितृष्वसा । श्वश्रृः पूर्वजपत्नी च मातृतुल्याः प्रकीर्तिताः ॥

" वदाऽऽसामौरसो न स्यात्सुतो दौहित्र एव वा । तत्सुतो बान्यवस्तासां स्वस्नीयाद्याः समाप्रयुः ॥''

इति चृहस्पतिरप्यधिकारिमात्रबोधको न कमबोधक इति तद्नुरोधेनैव योज्यः पाराकरीत्या ।

तथा हि । ओरसपदेन कन्यापुत्रयोर्ग्रहणम् । तयोः सर्वापवाद्कत्वात् । सुत इत्यनेन सैपत्नीकन्यापुत्रयोर्ग्रहणम् । इदं च दायग्रहणांशे । स्वसीयो भिननीसुतः । आद्यपदेन स्वभर्तृभागिनेयदेवरपुत्रस्वप्रातृपुत्रजामातृदेवराणां ग्रहणम् । यथासंख्यमन्वयः । दौहित्र इत्यनेन दौहित्रीदौहित्रयोर्ग्रहणम् । औरसयोः सपत्नीपुत्रयोश्वाभावे अनयोरिथकारात् । तत्सुत इत्यनेनौरससुतोभयजन्यपौत्रग्रहणं, न तु दौहित्रसुतस्य । पिण्डदानांशे अनिधिकारात् सर्वासामिति मनोः । औरसविशेग्रात्वं तु न । वेयर्थ्यात् । अन्यथा सपत्नीपुत्रसद्भविऽपि स्वसीयाद्यिकारापतः । बान्धवशब्देन
प्रातुर्भर्तुर्मातुः पितुरित्यादेर्ग्रहणम् । तद्भावे स्वस्रीयाद्यस्तत्कमेणैवेत्यर्थः । एवं——

" मातुलो भागिनेयस्य स्वसीयो मातुलस्य च । श्वशुरस्य गुरोश्चेव सख्युर्मातामहस्य च ॥ एतेषां चैव भार्याभ्यः स्वसुर्मातुः पितुस्तथा । श्राद्धदानं तु कर्तव्यमिति वेद्विदां स्थितिः ॥ ''

इति वृद्धशाःतातपीये पिण्डदानांशेऽपि बोध्यम् । पिण्डद्त्वं न रिक्थहारित्वव्याप्यमपि तु विपरीतम् । तद्य्योत्सर्गिकमित्यादि हि प्रागेव प्रपश्चितमिति न विस्मर्तव्यम् ।

एतेन " पुत्राभावे दौहित्रस्तद्भावे दौहित्रपुत्रस्तस्याप्यभावे स्वस्रीयाद्या अविशेषेण १५ सर्वधनभाजः । मानृष्यसेति **बृहरूपतेः** । आधराब्देन यस्य मातुलानी स इत्यादि । पूर्वजो-ऽग्रज: । यद्यप्यत्र पुत्राभावे दोहित्रः श्रृयते तथापि पुत्रदुहितुसद्भावेऽपि दौहित्रीणां किञ्चिद्धनसंबन्ध-श्रदणात्तदभावे सर्वधनसंबन्धस्याप्रतिबन्धान्मातामह्यवयवाधिक्येन च दौहित्रापेक्षया प्रत्यासन्तत्वाच दोहिन्यभावे दोहिनो धनभाक । अनाप्ययं विशेषः । यत् पितुकुलादागतं तत्स्वस्रीयाद्याः, यत् भर्तृ-कुलादागतं तद्देवराद्याः, जामाता तूभयमप्यविशेषात् '' इति **भ्रान्ता**द्युक्तम्, एतद्वचनवला**न्मनू**क्त- २० त्यागेनान्यथा ह्रेशेन यद्धिकारप्रतिपाद्नं प्राच्यानाम्-तथा हि " तद्तेषां पुत्रादीनां आत्रादि-भर्तुपर्यन्तानां चाभावे सत्स्विप श्वग्रुरभ्रातृश्वग्रुरादिषु सिपण्डेषु भगिनीपुत्रादीनां धनाधिकारिता अनन्यगतेर्वचनात् स्त्रीणां मातृतुल्यताप्रतिपाद्नेनामीषां पुत्रत्वज्ञापनेन पिण्डद्त्वसूचनस्य द्रायपकरणे धनाधिकारज्ञापनैकप्रयोज्यत्वात् । तत्र स्वस्रीयाद्या इति वचनात्पूर्वपूर्वाभावे सर्वशेषे देवरस्यैवा-धिकारापत्तेर्महाजनिवरोध इति वस्तुबलमालम्ब्योच्यते । तत्र त्रयाणामिति अनन्तर इति पूर्वदायभाग- २५ पकरणस्थमनोः, पिण्डदों ऽशेति मूलेन च पिण्डदानेनाधिकारदर्शनात्पुत्रस्यापि सातिशयपिण्ड-दाने नरकत्राणकारणतया मुख्यत्वेनाधिकारावगतेर्मातुल इत्यादिवृद्धशातातपवचनेनामीषां पिण्डदानपतिपादनादयं पिण्डदानविशेषादधिकारक्रमः । आदौ देवरः तद्धर्वदेयपूर्वपुरुषत्रयपपण्ड-दातृत्वात्सापिण्डत्वाच तद्धनाधिकारी । तद्भावे भ्रातृश्वशुरुदेवराणां सुतः तद्धतृदेयपूर्वपुरुषद्वयपिण्ड-दातृत्वात्सिपण्डत्वाच पितृव्यस्रीधनेऽधिकारी । तद्भावे त्वसिपण्डोऽपि भगिनीपुत्रः तत्पुत्रदेयपित्रा- ३० दित्रयिण्डदानात् मातृष्वसूधने अधिकारी । तद्भावे स्वभर्तृभागिनेयः पुत्राद्धर्तुर्दुर्बेळवत्त्वात्तत्स्थान-पातिनोऽपि तथैव बलाबलस्यापि न्याय्यत्वात् । तद्भृतृदेयपूर्वपुरुषत्रयापिडदानात्तत्पण्डदानात्र

१ सपत्न्याः कन्यापुत्रयोगित्यर्थः ।

मातुलानीधनेऽधिकारी । तद्भावे आतृसुतः तियतृपितामहयोस्तस्याश्च पिण्डदानात्यतृष्वमृधनेऽधिकारी तस्याप्यभावे दवशुरयोः पिण्डदानाज्ञामाता दवश्च्यनेऽधिकारित्ययं क्रमो याह्यः स्वस्त्रीयांचा इति न क्रमार्थं किं त्वधिकारितामात्रपरम् । षण्णां पुनरेतेषामभावे दवशुरादेः सपिण्डने तु कृतौ धनाधिकारो बोद्धव्यः । न च सपिण्डाभावे सतीदं वचनमिति वाच्यम् । अस्यामधिकारशृङ्खलायां देवरदेवर-सुतयोश्चीतृश्वशुरस्य तस्यचाधिकारशापनात् । आसन्नतरश्वशुरभ्चातृश्वशुरादेः परित्यागात्, इति । तच्चापास्तम् । अज्ञानप्रलपितत्वात्, दोषगणस्योक्तत्वात्, अन्यस्मृतितो मनोः प्रामाण्यातिशयेन पावल्यस्यान्यत्र प्रतिपादितत्वाचेति मान्सर्यमुत्सार्यं विचारणीयमिति दिक् ॥ १४५ ॥

# याज्ञवल्कीये १४६ श्लोकः ( पूर्वार्धः ) ।

प्रकृतासंबद्धतादाह । प्रसङ्गनेति । किंचित्, अर्धश्लोकोक्तम् । मुख्यदानेऽपहारस्थैवासं-१० भवादाह । वाचेति । द्रव्योति । अनुबन्धो दोषोत्पादः । दोष इति यांवत् । "दोषोत्पादे-ऽनुबन्धः स्यात् " इत्यमरात् (३ । ३ । ९८ )। द्रद्धसमासः । आदिना जातिगुणयोर्थहणम् । अत्रैव विशेषमाहाविरोधाय । एतस्रेति । दण्डनं चेत्यर्थः । चार्थमाह । यस्रेति । वरेणेति । तत्पित्रादिना वेत्यपि बोध्यम् । एवममेऽपि । स्वं वरः । उपचारो व्यवहारः । व्ययमित्यस्य कर्मप्रत्ययान्तस्यार्थमाह । व्ययीकृतमिति । अत्रैव ।

#### ( उत्तरार्घः )।

अश्वेति प्रश्ने । तमेवाह । कथि श्विदिति । संस्कारात्, पाणिप्रहणादितः । 'स्वं च ग्रुल्कं वोढा ऽर्हतीिति ' गौतमो केराह । वर इति । किं कृत्वेति शङ्कायामाह । परीति । उभयोरिति । कन्यादातृप्रतिप्रक्षीतृतत्पित्रादिभिविंवाहो यतैर्वर्गद्वयस्थै विंवाह निमित्तं वाग्दान निमित्तं वा यद्धनं व्ययीकृतं तत् तस्मात्कन्याधनात् गृहीत्वाऽवाशिष्टं तस्मे द्यादित्यर्थः । विगमय्य परिहत्य । विगणय्ये- २० त्यपपाठः । अविरोधाय विशेषमाह । यत्विति । आदिना पितृव्यादिप्रहणम् । दन्तं वाग्दानसमये । ततः पूर्वं वा प्रीत्या तस्या एव स्वत्वं कृत्वा समर्पितम् । शिर इत्युभयान्विय । पक्षान्तमाहे । वा कमागतिमिति । क्रमायातं वेत्यर्थः । तद्भावे इति । सोद्राभावे तन्मातुर्भविति तद्भावे पितृर्भवतीत्यर्थः ॥ १४६॥

पक्तसङ्गतिमाह । **मृतेति । इदानीमिति ।** यसकानुपसक्तयेति शेषः । अपिना तद्न्य-२५ समुच्ययः । क्वचित् । न तु सर्वत्र । मौलश्चो व्युक्तमे इत्याह ।

#### याज्ञवल्कीये १४७ श्लोकः।

संप्रतिरोधके चिति । अन्त्यार्थमाह । बन्दीति । तत्पुरुषगर्भद्देदगर्भा बेहुवीहिः । निग्रहस्ताडनम् । सर्वशेषमाह द्वान्तरेति । पुनः पश्चात् । द्वयलाभोत्तरम् । अर्हतीति । अवश्यदेयमिति नियमो नास्तीत्यर्थः । अन्यथा न देयमित्येव त्रूयात् । निमत्तविशेषोद्धिकंकलमाह । श्रव्यतिरकेणेति । तस्यैवोक्तनिमित्तेऽध्यम्यनुज्ञा नान्येषामिति भावः । जीवन्त्या इति । मृतायास्तूकं एव प्रकार इति भावः । तत् धनम् । स्वबान्धवाः दायादाः । शिष्यात् शिक्षयेत् । नारदोक्तिरियम् । मानवमप्याह । तथिति । तद्ददित्यर्थः । दायादाः पुत्राद्यः । तस्मिन्मृतेऽपीति भावः । पतन्ति पतिता भवन्ति । विष्णुरप्येवम् ।

एतेन 'विभागकाले पुत्राद्यस्तं जीवति पत्यो न भजेरन किं तु यस्याः सोऽलंकारस्तत्पति-भागत्वेनैव देयो यथा सैव तं परिद्ध्यात्र तु जीवित पत्यो यो घृतः स मृतेऽप्यविभाज्य इति । अहृष्टार्थतापत्तेः । एतेन '' सर्वथाऽसावविभाज्य '' इत्यपि निरस्तम् । जीवितीति विशेषणान्मृते तस्मि-म्नन्येनापि म्रहणे न दोषः '' इति भ्रान्तोक्तमपास्तम् ॥ १४७ ॥

#### याज्ञवाल्कीये १४८ श्लोकः।

प्रकृतसंगितिमाह । आधिवेदिनिकिमिति । तत् सिविधिपकारं तत्स्वरूपम् । अधीत्यादि चतुर्थ्यन्तमेकं पद्म् । वित्रमित्यत्र भावे कः । अधि उपि वित्रं वेदनमिति सुप्सुपेति समासः । तद्स्ति यस्या इति 'अर्श आद्यन् (व्या. सू. ५ । २ । १२७) । तत्फलितमाह । यस्या इति । उपि योग्यतया सन्ते । विवाह ऐच्छिकः । अधिवेदनपाप्तधनं आधिवेदनिकम् । 'तस्य निमित्तमिति' (व्या. सू. ५ । १ । ३८) उगाहीय इत्याह । अधीति । बहुवीहिः । १० ताहराविवाहान्तरमेव पूर्वस्या धर्मपत्न्या धनदाने निमित्तमिति भावः । तत्कियदित्याराङ्कायामाह । समिति । तस्य सापेक्षत्वेन पङ्कतत्वादाह । याविदिति । व्ययीकृतम् । अलंकरणादिक्ष्येण । अत्र विशेषवोधकमुत्तरार्द्धमित्याह । यस्या इति । त्वर्थमाह । पुनिरिति । साकांक्षत्वेन पङ्कतत्वादेवाह । आधीति । पकल्पयेदित्यस्यार्थमाह । द्यादिति । एतेन प्रकीर्तिति । सिं त्वंशा । नन्वेवं नियतसमत्वासिद्धिः, कदाचिक्यूनाधिकभावस्यापि संभवात् । अत आह । अधीति । किं त्वंश १५ मात्रपर इति मावः । मोलमर्द्धपदं तु न नपुंसकलिङ्गम् । येन समप्रविभागवाचकं भवेत्, 'अधी समें- ऽशके' इत्यमरात् ( १।३।१६ ) । अपि तु पुंलिङ्गम् । अत एवांशमाञ्चाचकं तत् । समत्वस्यैव हि अभिमतत्वमिति केचित् ।

वस्तुतस्तु अर्थ एकार इत्यादि**महाभाष्य**प्रयोगात् अमरे वा पुंसीतिपूर्वान्वयात्, अर्थः अर्थं च समेंऽशके इत्यर्थादित्युक्तलिङ्गस्यापि समांशवाचित्वेन न तत्साधकम् । अपि तु तत्समत्वस्येव २७ विवक्षितत्वेन तद्नुरोधेनात्र तस्यांशमात्रवाचित्वं यामार्थ इत्यादाविव न तु तद्दाचित्वमिति बोध्यम् । तद्दाह । अतश्च यावतेति । एतावताऽपि स्त्रीधनस्य पित्रादिधनविभागकालेऽविभाज्यत्वमेवेति म तद्दोधकवचनविरोध इति बोध्यम् ॥ १४८ ॥

#### याज्ञवल्कीये १४९ श्लोकः।

महापकरणशेषतया तेन सङ्गतिमाह । एवमिति । विभागसन्देहे सतीत्यर्थः । अपलापे २५ विभागानन्तरं कालान्तरे विभागो न जात इत्येवंरूपे अन्यतरेण कृते सति । मूळे प्रायो बहुवचना-न्तेन द्वन्द इत्याह । ज्ञातिभिरित्यादि । तेषां बहुनामेकसाधकत्वात् पितृबन्धुभिरिति । इद्मुप-लक्षणमन्यद्व्यस्यापि ।

वस्तुतस्तु ज्ञातिभिरित्यस्योदासानैः सजातियैरित्यर्थः । बन्धुभिरित्यस्य बन्धुत्रयेभीत्रादिभि-श्रेत्यर्थे उचित इति बोध्यम् । अभिलेखितेत्यस्यार्थमाह । लेख्येन चेति । अत्र बहुत्वानुपयोगोऽ- ३७ निष्ठावहं च सत्सत्त्वं प्रत्युत इति भावः । सर्वसमक्षं लिखापितमिति तद्र्यः । तथा, तद्रत् । यु मिश्रणा-मिश्रणयोरित्यनुज्ञासनानुरोधेन तद्र्यमाह । पृथगिति । पृहेति । बहुवचनान्तदन्दः । चः समुचये । न्यूनतानिरासायाह । पृथगिति । पृथक्कृतगृहक्षेत्रादिसत्वेऽपीति भावः । विभागधर्मेति । दायादानां विभागसपधर्मसन्देहे सतीत्यर्थः । अग्रे ज्ञेय इति शेषः । भागलेख्येन, विभागपत्रेण । भोगलेख्येनेति पाठे समाहारद्दन्दः । कार्येति । इष्यादिरूपेत्यर्थः । द्वितीयमाह । भ्रातृणामिति । तथा तद्दत् । तेनैय नारदेनैव । प्रातीति । प्रतिभूत्वमित्यर्थः । नाविभक्ता इति । अन्यथा करणे दण्डाद्यामानात्तत्समर्थानामेव तदुचितं नान्येषामितीदमिप क्रियमाणं तिहिङ्गमिति भावः । कथंचनेति ।

अत एव विभक्तकेल्पमपि तेनेवोक्तम् ( अ. १३ श्लो. ४२।४३ )

" यद्येकजाता बहवः पृथाधर्माः पृथक्कियाः । पृथकर्मगुणोपेता न ते कार्येषु सङ्गताः ॥ "

" स्वभागानिप द्युस्ते विक्रीणीयुरथापि वा । कुयुर्यथेष्टं तत्सर्वमीशास्ते स्वधनस्य वै ॥ '' इति । 'विभक्ता ह्यविभक्ता वेति ' वृहस्पतेराशयस्तूक एव । उक्तरीत्याऽर्थनिर्णये पुनर्विभागमाह— मतुः,—

१० " विभागे यत्र सन्देहो दायादानां परस्परम् । पुनिविगागः कर्तव्यः पृथक्स्थानास्थितरपि " इति । " सङ्कदंशो निपततीति " मानवं तूकरीत्या शक्यनिर्णयाभिगामीति केचित् । वस्तुतस्त्वाद्यं विभागे न्यूनाधिकभावांशे मिथः सन्देहाभिगायं, द्वितीयं निर्णयाभिगायं, मौलं यथास्थितं जातस्य तस्यैवान्य-तरकृतापलापभिगायम् । अत एव तत्र बृहस्पितः—

"स्वेच्छाकृतविभागो यः पुनरेव विसंवदेत्। स राज्ञांऽशे स्वके स्थाप्यः शासनीयोऽनुबन्धकृत्॥'' १५ इतीति बोध्यम्॥ १४९॥

#### इति दायविभागः।

# याज्ञवल्कीये १५० १५१ श्लोकौ ।

द्यान्तर्गतस्थावरान्तर्गतगृहक्षेत्रप्रसङ्गेनाह । अधुनेति । मनू कक्रमस्तु नैवाभिमतोऽस्यांति भावः । एवमग्रेऽपि बोध्यम् । विवादे सतीति रोषः सीमराब्दो नान्तः डाबन्तश्च । स्नीलिङ्गो हो । यामहय-२० संबन्धिक्षेत्रसीम् इति पाठः । संबधित्वं क्षेत्रविरोषणम् । व्यस्तपाठेऽग्रेपि व्यस्त एव पाठः । युक्तं चैतत् । मूले तथैव पाठात् । विनिगमकाभावादाह । तथैकिति । तहदित्यर्थः । एतेषामर्थान् बस्तुमादौ सर्वविषसीमानिर्णायकत्वमेतेषामिति सिद्धान्तायाकांक्षितं विश्वषं मूलानुक्तमाह । सीमा क्षेत्रादीति । सा चेति । विषयभेदादिति भावः । जनपदो ग्रामसमूहो देशः । सा च, चतुर्विधाऽपि । यथासंभविमिति । संभवमनितक्रम्येत्यर्थः । न नियमेन १५ वक्ष्यमाणपञ्चलक्षणैरुपेतैव सर्वा सीमा, अपि तु क्रचिद्केन क्रचित् द्वाभ्यां क्रचिद्वहुपिरिति । यत्र यथा प्राप्तिस्तत्र तथैवेति भावः । वृक्षादिक्रक्ति । रू ११५) इनिः सर्वत्र । अत्र ध्वत्रा तमप्याह । वृक्षादिकाति । अत्र इनि ठनाविति १ (व्या. सू. ५ । २ । ११५) इनिः सर्वत्र । अत्र ध्वत्र तमस्योति । तद्विना तद्स्थितः । स्वाधारेत्यनेन तन्मूलसंबन्धो द्शितः । निधीर्यते इति निधानं तदेव नैधानं स्वार्थे ऽण् । तद्र्थमाह । निखातिति । अत्रापि गौणी वृत्तिरित्याह । १० तेषामिति । तुषाङ्गारादीनामित्यर्थः । निखातत्वेन, खनित्वाऽन्तर्ग्रप्तत्या स्थापितत्वेन । उक्त-हेतोरेवाह । निधानेति । भयवर्जितेत्यस्यार्थमाह । अर्थीति । वादिमतिवादिनोः सत्यसंधत्वेन मिथोन

९ क-विभक्तकृत्यम्पि।

ऽत्यन्तं विश्वस्तत्वेन इयं मदीया मुः इयं मदीयेति स्वस्वचित्तानुसंधानपुरःसरं मिथः संमत्या बाङ्कात्रादिनिर्कितेत्यर्थः । अत्रार्थित्वं पत्यर्थित्वं च प्रातिवेश्यत्वेन तद्योग्यत्वाशयेन च मत्सरप्रस्तत्वेनेति श्चेयम् । ज्ञानिङ्कित्वेति । ज्ञातारश्च चिह्नानि च तेषामभावे इत्यर्थः । ज्ञातारः साक्षिसामन्ताद्यः । विद्वानि वृक्षादीनि ।

व्यासेन तु अन्यथा भेदानुक्ता विवृताः । तद्यथा---

" निम्नोनता च ध्वजिनी नैघानी राजकारिता। स्थिरा पश्चविधा सीमा मिस्यिनी तु चला स्मृता॥

" ग्रामयोरुभयोर्येत्र गर्त्तः सीमापवर्तकः । निम्नोपलक्षिता सा तु शास्त्रविद्धिरुदाहृता ॥

" शरकुञ्जकवल्मीकान्यत्र देवगृहाणि च । अश्मकूटाश्च दृश्यन्ते शेया सा तु समुचता ॥ "

" ग्रामयोरुभयो: सीम्रि वृक्षा यत्र समुन्नताः । समुच्छिता ध्वजाकारा ध्वजिनी सा प्रकीर्तिता ॥ "

" इष्टकाङ्गारसिकताः शर्करास्थिकपालिकाः । निहिता यत्र दृश्यन्ते नैधानी सा प्रकीर्तिता ॥ "

" तुषाङ्कारकपालैस्तु कुम्भैरायतनैस्तथा । सीमा प्रतिचिता कार्या नैधानी सा निगद्यते ॥ "

" साक्ष्यभावे इयोर्यत्र प्रभुणा परिकीर्तिता । सामन्तानुमता सीमा सा ज्ञेया राजकारिता ॥ "

" स्वच्छन्द्गा बहुजला झषकूर्मसमन्विता । नित्यपवाहिणी यत्र सा सीमा मिस्यनी मता ॥" इति ।

पविमिति । उक्तप्रकारेण यथासंभवं पञ्चलक्षणलक्षितायां भूस्यामित्यर्थः । न्यूनता चांशे इति पाठः । उक्तभूविवादे षट्पकारत्वं कातीयव्याख्यानेन प्रदर्शयन्त्रवादौ प्रथमप्रकारमाह । ममा- १५ न्नेति । प्रदेशे इत्यर्थः । निवर्तनं भूपिरमाणमादानुक्तम् । द्वितीयमाह । पञ्चानिवर्तनिति । नेत्यप्रे किं त्विति शेषः । एवमप्रेऽपि । विवाद इत्यस्यानुषङ्गः । अंश इत्युत्तरान्वयीति तृतीयं तुर्यं चाह । पञ्चानिवर्तन इति । अत्र तथोक्ते अंशोऽस्ति पञ्चनिवर्तन इत्येतचास्तीति तृतीयपक्षं व्याख्यातृबुद्धिपरीक्षार्थे स्फुटमनुक्त्वाऽग्रिमं पक्षमेव व्यक्तीकरोति । अंश एव नास्तीति । अत एव संभूयोपसंहरति । अस्तिनास्तित्वेति । पञ्चममाह । मदीयेति । संततेत्यस्यैव व्याख्या चिरन्तन्यवेति । २०
तथा चाभोगभुक्तिरित्यस्य पागविद्यमानभोगकस्य क्षेत्रादेर्भुक्तिरित्यर्थः । षष्ठमाह । इयं मर्यादेयं
वितिति ।

यद्वा पश्चिनिवर्त्तनो ममांश इत्यत्रैक एव प्रकारः । मदीया भूरिति तुर्यः । सीमाशब्देनोभ-पम् । तत्र पश्चम इयं मर्यादेयं वेति । इयं सीमेयं वेति षष्ठः । अनेनैवाशयेन तथा सीमाविवाद इत्युक्तं मानवे । मर्यादायाः सीमश्च भेदं द्शीविष्यति ''मर्यादायाः प्रभेदे तु" इत्यत्र । तथा चात्र २५ भेदे पूर्वत्रैक्यं तत्र भेदे सीमामर्यादयोरेकत्वेन व्यवहार इति बोध्यम् ।

यद्दा आधिक्यं, न्यूनलम्, अस्तित्वं, नास्तित्वम्, अभोगभुक्तिः, सीमा चेत्यमी षट् हेतवः । क्रिविद्यस्ताः क्रिविन्मिलिता इति । एवमुकाशयगर्भितमुपसंहरति । इति षट्रप्रकार प्वेति ।

नम्बेनं प्रकरणासंगतिरत आह । विस्ति । श्रुत्यर्थाभ्यामिति । यत्र साक्षात्सीमाविवाद-स्तत्र श्रुत्या, अन्यत्रार्थेनेति विवेकः । अपिना ध्रसमुचयः । तस्य षड्विधभूवादस्य ।

अथ मौळे सामन्ता इत्यादि व्याच्छे । समन्तादित्यादिना । सामन्तशब्दः पृषोदरादिः । मनु तत्रापि अन्यपार्श्वतिनीऽन्यसीमानिणीयकत्वं कथमत आह । ते चेति । आदिसंग्राह्यं पकटयन् अत्र मानमाह । आमस्येति । ग्रामजातो ग्रामजनस्य सामन्त इत्यर्थः । एवं क्षेत्रादाविप । सामन्त

१ फ-भूपरिमाणादावुक्तस् ।

इत्यास्याये उभयत्रानुषद्भः । तत्र हेतुमाह । समन्तादिति । हि यतः । समंतात्परिभ्य संबध्य व्यवस्थिता इत्यर्थः । यथाश्रुतेऽनुपपत्तेराह । यामादीति । आदिना क्षेत्रादिपरिग्रहः । तत्स्था इति । ते च तत्स्वामिनोऽन्ये वा । न्यूनतां निराचष्टे । सामन्तिति । तस्यापीत्यर्थः । अत्रादिसंगृहीतान् दर्शयज्ञुकार्थे संमतिमाह । उक्तं चेति । निकटवर्तिनः संसक्तकाः सामन्ता इति । तथा तद्दत् । तत्संसक्तास्तद्नन्तरस्थिताः उत्तरा इति , संसक्तसक्तसंसक्ताः तद्नन्तरस्थिताः पद्माकारा इति च प्रकीर्तिता इत्यर्थः । सामन्ताद्यस्रयोऽपि संज्ञाद्दयभाज इति यावत् । अत एव न सर्वनामसंज्ञाः ।

आदीति । स्थविराद्य इत्यादीत्यर्थः । वृद्धत्वं पारिभाषिकमित्याह । वृद्धादीति । तेनैव, कात्यायनेनैव । तत्कार्यमिति । सीमानिर्णयादिरूपं कार्यं सीमानिर्णयादिविषयकनिपुणमितित्व-रूपगुणयुक्तैर्निष्णाद्यमानं यैर्द्धष्टं ते इत्याद्यर्थः । यदि वाऽवृद्धा इत्यन्नाकारपश्लेषः । तन्न विषये । १० तन्मूलत्वात्, सामन्तत्वस्य पूर्वस्थितत्वात् । उपेति । अन्नेयं स्थितिरिति सम्येभ्यः श्रवणमुपश्रव-णम् । उपश्रवणं च संभोगकार्यं च तयोराख्यानं तेनोपलक्षिता इत्यर्थः । सीमि कर्षणासंभवादाह । सीमासंनिहितेति ।

व्याधानिति । "इमानप्यनुयुक्षीत पुरुषान्वनगोचरान् ।" इत्यस्य पूर्वशेषः । व्याधा लुब्धकाः । शाकुनिकाः पक्षिवधजीविनः । कैवर्तास्तटादिखननवृत्तयः । मूलखानकाः १५ वृक्षादिमूलोत्पाटनजीविनः । व्याल्याहाः सर्पमाहिण आहितुण्डिकाः । उञ्छवन्तयः । "उञ्छः कणश आदानं कणिशाद्यर्जनं शिलम्" इति यादवः । अन्ये च वनचारिण फलपुष्पाद्यर्थ-मरण्यचारिणः ।

अथ स्थलाङ्गारादि व्याचि । स्थलमित्यादि । निम्नभूपदेशस्य निम्नपदेन वक्ष्यमाणत्वादाह । उन्नत इति । अमेरिच्छां 'कोलमा ' इति महाराष्ट्रभाषया प्रसिद्धम् । द्वमाणामुक्तत्वादाह । २० पाषाणादीति । चत्वर इत्यर्थः । "चैत्यमायतनं तुल्ये " इत्यमरः । ( २ । २ । ७ ) विशेषमाह । एतानि चेति । उक्तलक्षणानीत्यर्थः । सीमावृक्षानिति । तत्प्रकाशकवृक्षानेतान् तथा क्वित यथा सीमेत्यर्थः । अञोभयञ्च इन्दोत्तरपद्को इन्दः ।

"पिच्छिला पूरणी मोचा स्थिरायुः शाल्मलिईयोः।" (१।४।४६)

"अनोकहः कुटः शालः" **इत्यमरः।** (२३४।५)

२५ भागवते पश्चमे तु भेदा उक्ताः---

" वनस्पत्योषधिलतात्वक्सारा वीरुधो द्रुमाः। '' इति ।

पुष्णं विना फलतीति वनस्पतिर्वटौदुम्बरादिः। फलपाकान्ता ओषधयो गोधूमादिधान्यानि । आश्रयेणारोहिति सा लता । ताम्ब्लादिवली तु व्रतितः । लतेति तु सामान्यम् । त्वक्सारो वंशादिः । विनाऽऽश्रयेणारोहन्तीति वीरुधो लताविशेषाः । समयेन फलन्तीति दुमा ३० आश्राद्य इति तद्र्यः। गुल्मा अपकाण्डस्तम्बाः। " अपकाण्डे स्तम्बगुल्मी " इत्यमरः। (२।९।४) तृणजंवा वा । स्थलं इत्रिमोचतभूभागः। कुञ्जकगुल्मांश्रोतिपाठे गुल्मांशे पौनरुक्त्यमिति न स पाठः। किन्तु कुप्यकगुल्मांश्रोति। तत्र कुप्यसम्बन्धिनो गुल्माः कुप्यकगुल्माः। कुप्यकं स्वार्थे कन्। सुवर्णरजताभेचं ताश्रादि कुप्यम्।

[&]quot;हेमरूप्ये इताकृते । ताभ्यां यद्ग्यत्तकुप्यम् "इत्यमरार । (२)९। ९१)

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कुप्यकस्य मलापकर्षणवर्णोत्कर्षमिथःसंश्लेषादिषूपयोगित्वात्तत्सम्बन्धित्वम् । अत एवाधिकोप-योगित्वेन गुल्मेत्यस्य पृथक् ग्रहणमिति भेदः । एवं तु सोऽपि पाठः कथित्रत्सुयोजः । तत्रैव पाठे मनुरोपयीगत्वेनाद्रार्थे पृथक् निर्दिष्टा इति तद्वचाख्यातारः ।

तथेति व्याख्यातम् । यद्दा तथा कृते सित सीमा न नश्यतीत्यर्थः । तडागशब्दोऽर्धर्चादिः । उद्गानानि कृपाः । 'कूप उद्पानं तु पुंसि वा 'हत्यमरः (१।१।२६) । वाप्यः पाषाणादि- बद्धा दीर्घिकाः । 'वापी तु दीर्घिक'त्यमरः (१।१।२८) । पस्रवणानि निर्झरादयः । उपच्छ- सानि गुप्तसहशानि । सीमाया ज्ञाने । नित्यं सर्वदा । विपर्ययं वैपरीत्यम् । वीक्ष्येति पूर्वान्ययि । अन्यस्य पुनः करणे हेतुरनेन सूचितः । तान्येवाह । अश्मन हत्यादि । आनन्त्या-दिरमचन्यान्यिप सूचयन्नुपसंहरित । यानीति । उक्तसहशान्यन्यानित्यर्थः । सीमाया बोधनीयायां सन्धिषु तत्सन्धिषु नयेत् निश्चयेन प्रतिपादयेत् एतैरिति ।

मनुमात्रार्थमाह। ऐतौरिति । उभयोपसंहारोऽयमित्याह। प्रकाशाप्रकाशिति । सीमामित्य-स्योभयत्रान्वय इत्याह। सीमां प्रतीति । द्वितीयस्य फलितमाह । सीमानिर्णयमिति । पूर्वभुक्त्या हु सतत्मुद्कस्यागनेन चेत्यस्य शेषो बोध्यः । अविच्छित्रया भुक्त्या न तु त्रिपुरुषादिकया । तस्या '' आधिः सीमा '' इति पर्युद्स्तत्वात् । ग्रामद्वयसन्धिस्थनब्राद्गिवाहेण चेति तद्र्थः ॥ ॥ १५० ॥ १५१ ॥

# याज्ञवल्कीरे १५२ श्लोकः।

अथागिमसङ्गतिमाह । यदा पुनरितिं । यदा त्वित्यर्थः । सर्वथाऽसत्ताया विरुद्धत्वादाह । विद्यमानानीति । सन्देहे बीजं कोटिइयमाह । लिङ्गालिङ्गेति । समग्रीमा इति सामन्तविशेषणं न पृथगित्याह । प्रत्यासन्नेति । सका इत्यर्थः । चत्वार इत्यादि दिकप्रदर्शनं न परिगणनम् । अत एव अपिः । तेन तादृशबहूपादानात्तादृशा एव समुचीयन्ते वाशब्दो विकल्पे इत्याह । इत्येव- २० मिति । उक्तप्रकारेण । समसंख्याः, न तु विषमसंख्या नाप्येते एवेत्यर्थः । रक्तवमुभयविशेषण-मित्याह । रक्तस्त्रगिति । नीलक्तपवितिनत्ययोगद्यम् । मूलं तु सम्यगेव । क्षितिधारिण इत्यस्या-र्थमाह । मुर्द्धेति । क्षितिशब्दो विशेषपरः। धारणमपि स्थलविशेषे एव षक्ष्यमाणमनोरिति भावः । सीमामित्यस्य व्याख्या । सीमानमिति । एवं सित वाशब्दासङ्गतिं निराचष्टे । सामन्ता वेतीति । साक्षिप्रत्यय इति । " यदि संशय एव स्यालिङ्गानामपि दृशेने " (मनुः ८। २५३ ) । इति २५ अस्य पूर्वशेषः । एचोऽप्यर्थे । तत्र कममाह । तत्रेति । तयोर्मध्ये इत्यर्थः । तद्वक्तमिति । मनु-नैवेति शेषः । चत्वार इति । एतदादिसमसंख्योपलक्षणम् । पयता इत्यनेनाव्यवस्थितानां दुष्टानां तत्त्वं निरस्तम् । अत एव पद्ष्षेषु न पदुष्टा इति कातीये उक्तम् । स्वार्थेति । तद्धि-षयेऽर्थगौरवात्तल्लोभात् दोषयुक्तेषु सामन्तेषु सत्स्वत्यर्थः । तात्पर्यार्थमुपसंहराति । कर्तब्या इति । सामन्ताद्यभावे इति । आद्नि तत्संसक्ताद्यिहणम् । अनेन ''सामन्तानामभावे तु मौलानां ३० सीमसाक्षिणाम् '' ( अ. ८। २५९ )। इति मानवे सामन्तराब्दिश्वतयपर इति सूचितम्। अत रवाविरोधः । एवमिमकातीयेऽपि । तेषां साक्षिणाम् । सामन्ताः संसक्ताद्यस्रयः । मौलेति । पूर्वपूर्वीभावे पर: पर:। एवं च मूलं न क्रमपरामिति भाव:।

१ क-फ-ख-भोगत्वेन । २ फ-समप्राप्ता इति ।

विशेषान्तरमाह । एते चेति । संसक्ताद्यस्रय इत्यर्थः । संख्या च गुणाश्च ताभ्यामाधिक्येन भवन्तीत्यर्थः । अत्र मानं कातीयमेवाह । सामन्ता इति । पूर्वं साधनं सामन्ता निर्दोषाः स्युः । उत्तरास्तु गुणान्विता दिगुणाश्च । तृतीया अपि गुणान्वितास्त्रिगुणाश्चेत्यर्थः । दैगुण्यादि च मागुक्त-चतुष्टयादितो बोध्यम् ।

विशेषान्तरमाह । ते चेति । स्मृत्यन्तरोक्ताश्चेत्यर्थः । स्वैः स्वैरिति । यज्ञातीयो यस्तदीय सुकृतैरित्यर्थः । उर्वी, तत्लण्डम् । तां सीमाम् । समअसमिति क्रियाविशेषणम् । नयेयुरिति बहु-वचनादेकस्य द्वयोश्च तन्निर्णेतृत्वं न स्याद्त आह । नयेयुरितीति । अत एव मूलादौ चत्वार इत्यादौ चोक्तम् । एवं च तत्रापि तदेकवाक्यतया समा एव बाह्या न विषमा इत्यर्थः । भूमि तत् लण्डम् ।

१० अन्यविहतैतत्यागवितिनारदृविरोधमेव तस्य परिहरित । योऽयमिति । प्रत्ययो विश्वासः अस्य सीमानिर्णयरूपस्य । उभयेति । अर्थिपत्यर्थीत्यर्थः । अत एव बृहस्पितिरिपि ——
" ज्ञातृचिह्नविनाशे तु एकोऽप्युभयसम्मतः । रक्तमाल्याम्बर्धरो मृद्माद्य मूर्द्धनि ॥
" सत्यत्रतः सोपवासः सीमां सन्दर्शयेकरः । " इति ।

विशेषान्तरमाह । स्थलादीति । साक्षिसामन्तादीनां तेषामेव न तु अन्येषाम् । नार-१५ दीयं व्याचिख्यासुरादौ सन्दिग्धतया समासपूर्वकं पदार्थमाह । निम्नगयेति । भावे क इत्याह । अप-हरणनेति । निम्नगयेत्यस्योत्मृष्टादौ कर्नृत्वेनान्वयः । अत एव 'न लोकेति ' ( म्या. सू. १ । ३ । ६९ ) निषेधात्तत्र षष्ठी न इता । अपहरणस्य तत्र करणत्वेनान्वयः । उत्सृष्टानीति पाउः । अत एव यथार्थमाह । स्वेति । कल्पतरौ तु उत्सृष्टोति पाठो भृतः । अर्थः स एव । यौग-पद्यासम्भवादाह । निष्टानि वेति । फलितार्थोऽयम् । समासस्तु इन्द्रगभौं बोध्यः । भूमिपद्ं पक-रणाद्दिशेषपरमित्याह । मर्यादेति । अत्र वाक्ये उपायत्रयम् उक्तम् । तत्राद्यस्तर्थं विविच्याह । तत्रेति । तेषां त्रयाणां मध्ये इत्यर्थः । तत्पदेनोत्मृष्टादिचिह्नपरामर्शस्तदाह । उत्सृष्टेति । पार्थमाह । प्राचीनेति । दितीयस्वरूपमाह । प्रामापद्विति । दण्डः परिमाणविशेषः प्रागुक्तः । पद्रिगानुमानाचेति चो वार्थे उभयत्रान्वयीत्याह । प्रमाणाद्वेति । तृतीयस्वरूपमाह । प्रत्यर्थिति । एतत्समक्षं कदाऽपि विमतिपत्तिमपाप्ताया इत्यर्थः । "समुन्नयेयुः सीमानम्" इत्यनुवृत्तिमभिप्रेत्याह । निश्चिनुयु-२५ रिति । मनुरप्येतदिषयकः प्रागुक्त एव, पूर्वभुक्त्या त्विति । बृहस्पतिना चेति चस्वर्थे । एवमप्रेऽपि । अत्र परमपञ्चतप्ताक्षिसामन्तादिविषये सीमानिर्णये वा । आगमादिस्वरूपं प्रागुक्तम् । तेऽत्रोति पाठः । साक्षिपदं सामन्तादीनामप्युपलक्षणम् ।

विशेषान्तरमाह । एते चेति । यामेयकेति । ग्रामेयका ग्राम्यजनाः । कुलानि पूगश्रेणी-कुलानीत्युक्तानि । एतेषां समक्षमित्यर्थः । यदा ग्रामेयका ग्राम्यजनास्तेषां कुलानि समूहाः तेषा-३० मित्यर्थः । सीस्नि विषये । एवमग्रेऽपि । ये साक्षिणस्ते तानि प्रष्टव्या एव । दिकर्मकोऽयम् । गौणे कर्मणि तव्यः । विवादिनोस्तयोश्च, समक्षमित्यस्यानुषद्गः । सीमसाक्षिण इति पाठान्तरम् । निवधनीयात् पत्रे लेखयेत् । तान्सः । न साक्ष्यादीन् । चेन सकलिङ्कासमुचयः ।

मूलं सङ्गत्याऽवतारायितुं विशेषान्तरमाह । एतेषां चीति । राजेति । राजिकं दैविकं च दुःलिमित्यर्थः । अत्र मानमाह । अयं चेति । चस्त्वर्थे । कोशः पागुकः । 'त्रिपक्षेति ' बहु-३५ त्रीहिः । यथासंस्थमन्त्रयः । आर्षत्वात्साधुत्वमस्य । पूर्वनिपातानियमो धर्मादित्वात् ॥ १५२ ॥

# याज्ञवल्कीये १५३ श्लोक:।( पूर्वार्धः )

पृवं सित सङ्गत्या मूल्यम्वतारयित । यदा त्वित । अमीषां साक्ष्यादीनाम् । साक्ष्यं च क्वांसि च तान्युक्तानि यैरित्यर्थः । त्रिपक्षशब्दः पात्रादिः । अभ्यघिकौ संख्यागुणौ यत्र तानि, सक्ष्यन्तरेति पाटः । विरुद्धवचनतेति । वादिनिर्दिष्टसाक्ष्यादीनाममीपामिति भावः । ते वादिनिर्दिष्टसाक्ष्याद्यः। राष्ट्रपरागे इतिवत्सप्तमीत्याह । निमित्तेति । सर्वे पार्श्वस्थाः । पृथगर्थमाह । प्रत्ये-किमिति । पश्चशतशब्दे बहुवीहिः । तत्परिच्छिन्नपणेनेत्यर्थः । एवमग्रेऽपि । नतु 'अनृते तु ' इति प्रसामान्योक्तस्य सामन्तमात्रविषयतेव कथं अत आह । सामन्तिति । तन्मात्रेत्यर्थः । यथोक्तेन यथाशास्त्रोक्तमकारेण । सर्वार्थमुक्तस्य नारदोऽपीत्यस्य त्यवन्तस्पर्शपूर्वकमुक्तवानित्यत्रान्तयः । सर्वे इत्यस्य मध्यमणिन्यायेनोभयत्रान्तयः । मध्यमेति कर्म । दण्ड्या ग्राह्याः । ग्रहणार्थोऽत्र दण्डिने तु निग्रहार्थः । व्यापारद्दयार्थत्वेन द्दिकर्मकताऽस्य । एवं मूलेऽपि । अग्रेऽपि च । शेषाः सामन्तिभिनाः साक्ष्याद्यः भूसीमानिर्णये गेरिताः । जधन्याः दुष्टाः । विनेयाः दण्ड्याः । तमेव प्रथमसाह- १० साख्यमेव । वण्डगत्त्या दण्डशास्रोक्तित्या दण्डशानेन । नारद् एवायम् । नारदोक्तादिसंग्राह्यमाह । आदिशब्देनिति । साक्षादिति । अधार्मिकत्वात् । तथा च तत्र दण्डस्य नोपयोग इति कथं तेषामादिना ग्रहणमिति भावः ।

विशेषान्तरमाह । अन्तते त्विति । इत्येतिहिति । इत्यारम्य यत् ्लमनुनारदादि १६-शिंतिमित्यर्थः । अत्र हेतुमाह । बहूनां त्विति । निर्णेतृत्वेन समाधितानां बहूनां साक्ष्यादीनां मध्ये १५ यदि सर्वेऽपि साक्ष्याद्यः पत्येकमुक्तहेतुतो निर्णयं न कुर्युरित्याद्यर्थः । अत्र भयादा लोभाद्वेति हेतू-क्याऽस्य ज्ञानविषयत्वं स्पष्टमेव । तदाह । ज्ञानिति ।

विशेषान्तरमाह । तथेति । किं चेत्यर्थः । तद्दित्यर्थी वा । अयमेव उत्तमसाहसास्य एव । तेनैव कात्यायनेनेव । एवमगेऽपि ।

विशेषान्तरमाह। **एविमाति ।** उक्तप्रकारेणेत्यर्थः । आदिना ज्ञानग्रहः । अत्र मानमाह । अज्ञा- २० नोक्ताविति । " ज्ञानेन हि विमुच्यन्ते सामन्ता निर्णयं प्रति '' । इत्यस्यादिः । यत इत्यादिः । संभिश्च संमिश्रीकृत्य ।

( उत्तरार्धः )

मूलमवतरित यदेति । ज्ञावृचिह्नानामिति दंद इत्याह । ज्ञावृणामिति । विद्वानामित्यस्यार्थो लिङ्गानां चेति । उक्तहेतोरेवाह । राजैविति । यथाश्रुते वाघादाह । प्रवर्त- २५ यितोति । तदुपपाद्यति । अन्तरिति । व्यासारदयार्थत्वं तस्येति भावः । तत्यकारमाह । प्रामिति । भमं स्यादिति । न्यायेनाह । सममिति । तत्र विशेषमाह । यदेति । विवादास्पदीभृतायां भ्रुव्यन्य- तरस्य ग्रामस्याधिकोपकारसंभवे यावत्युपयुक्ता तावती सर्वाऽपि तस्य देयेत्यर्थः । सोनायादिति । लिङ्गाद्यभावेन परिच्छेनुमशक्यायां सीमायां धर्मज्ञान्यासंभवाद्राजैव स्वयं पक्षपातरिहतः सन् येषासुप- कारातिशयस्तेषामेव ततः प्रदिशिकिदिंशिदित्यर्थः ॥ १५३ ॥

### याज्ञवल्कीये १५४ श्लोकाः।

उत्तरसंगतिमाह । असत्यामिति । तत् ताद्वक् स्वरूपमस्यास्तीति तदत् । तद्दतो भावस्त-अ।वस्ततो नञ्समासस्तस्य याऽऽशंका तस्यामसत्यामपीत्यर्थः । अस्याः वक्ष्यमाणायाः । अयं

भावः । 'अतिदेशो ह्यधिकमाकांक्षते 'इति जैमिनीयन्यायेन यत्राधिका शङ्का तत्र पूर्वोक्तविषयः सादृश्याप्रतीतेस्तद्द्भावाभावेनातद्द्भावाशङ्कायां पूर्वोक्तवद्तत्पित्यतिदेशो वाच्यः । यथाऽऽहितामेः पिण्डिपितृयज्ञं विधाय एवमनाहितामेरिति तस्यातिदेशः । प्रकृते तु 'सीम्रो विवाद ' इत्यादिना यो न्याय उक्तः क्षेत्रादिसीमायां तस्य आरामादेस्तस्यामत्यन्ततुल्यत्वेन संभवेन तेष्वतिदेशानपेक्षत्वेनाः रामिति वक्ष्यमाणवचनं निष्फलं यद्यपि तथापि न्यायप्रभवाण्यपि वचांसि सन्तीति शिष्यवोधार्थमुक्तन्यायसिद्धार्थमपि विषयान्तरेषु वचनेनातिदिशतीति ।

तद्र्थभूतनिवेशनमेव विशद्यति । पलालेति । कूटं समूहः । आदिना तृणान्तरकाष्ठादिपरि-ग्रहः । न्यूनतां निराचष्टे । ग्रामेति । चो व्युक्तमे, तदुपलक्षणार्थमपि । यद्यपि "आहावस्तु निपानं स्यादुपकूपजलाशये ।" इत्यमरेणोकम् (१।१०।२६)। तथाप्युपलक्षणत्वेनाह । पानीयेति । १० प्रभृतिना तस्यापि ग्रहणम् ।

एवं पदार्थानुक्त्वा वाक्यार्थमाह । एतेष्विति । अग्रिमं स्वतन्त्रमित्याह । तथेति । पवहशब्दो भयादित्वात्साधुः । 'केदारो वपमस्त्रियाम्' (२।२।३)। गृहं सामान्यम् । यद्यपि 'प्रासादो देवमूभुजाम्' इत्यमरः (२।२।९), तथाप्यत्र तयोः पृथगुक्तेः प्रासादो महागृहम् । प्रसादोऽपि । उभयत्राधिकरणे घत्र । आङ्धिक आद्ये । आवस्थं अग्रिमत् गृहम् ॥ १५४ ॥

#### याज्ञवल्कीये १५५ श्लोक:।

तथाशब्दः समुचये । सीमातिक्रमणं तामुहंघ्य गमनं न विवक्षितं दण्डविशेषोक्तेरित्याह । कर्षणे इति । तथार्थमाह । चेति । वक्ष्यमाणमनोराह । भयादीति । यथासंख्यमन्वय इत्याह । यथेति । अत्राप्यार्षत्वात्साधुत्वम् । एवमन्यत्रापि बोध्यम् । न्यूनतानिरासायाह । क्षेत्रेति । वचनान्तस्यापि ब्रहणम् । सामान्योक्तिविशेषपरतया योजनफलमाह । यदा पुनरिति । भीषयेति २० भीषां भयमन्यसमादुत्पाय तया हरिनित्यर्थः । इद्मुपलक्षणं लोभस्यापि । अत एव भयादीत्यादावुक्तम् । विशेषान्तरमाह । अपित्वयमाणेति । तस्यां दशायामेव तत्सन्त्वादाह । कदाचिदिति । अपिना तस्यापि समुचयः। आह मनुः। उत्तमसाहसे विषये । इतीति । वधादिक्षपो दण्ड उक्तः इत्यर्थः । तथा च साहसं तदेवोत्तमं यत्रैतदन्यतम इति भावः । अन्यत्याग्व्याख्यातम् ॥ १५५॥

#### गाइदादर्भेटे १५६ श्लोकः।

परभूमिमिति पूर्वान्वयीत्याह । परकीयामिति । जलप्रवाहेति पाठः । नेदं सार्वत्रिकमित्याह । स इति । त्वर्थमाह । चेदिति । अल्पेत्यस्यार्थ ईषदिति । कल्याणेत्यस्यार्थो बिह्नित । प्राग्वदे-वाह । क्रूपेति । चः प्राग्वत् । द्वितीये विशेषणसूचितं विशेषमाह । यदा पुनरिति । असौ क्रूपादिः । तोयोति । यत्राधो जलप्रवाहः स खेयः । तत्रोपर्येव खनित्वा काष्टायारोपणात् । यत्र सर्वात्मना जलनिरोध एव स बन्धनीयत्वात् बन्ध्य इत्यर्थः । अत एव तेनैवोक्तम्, ३० (अ. ११ श्लो. १९)

"नान्तरेणोद्कं सस्यं नाशश्चात्युद्कं भवेत् । य एवानुद्के द्रोषः स एवात्युद्कं भवेत् ॥" इति । पूर्वेति । पूर्वेस्थितमित्यर्थः । स्वामिनीत्यग्रेऽध्याहारापकर्षाभ्यां तद्वश्यमामन्त्र्येत्यादेः सम्बन्धः । तद्वश्ये मानवेऽपि । पुनः तु मृते राजानमित्याद्यन्वयः । अन्यथा द्वितीयपादानर्थक्यं स्पष्टमेव ॥ १५६ ॥

#### याज्ञवल्कीरे १५७ श्लोकः।

सङ्गतिमाह । क्षेत्रोति । अनिवेद्येत्यस्य लाक्षणिकमभिमतमर्थमाह । अनम्युपगमय्येति । यथाश्रुते तु विरोधः स्पष्ट एव । न्यूनतां नारदृतः प्राप्तां निराच्छे । तद्भावे इति । आर्थत्वात्कर्मणि चतुर्थी । अर्थोदाह । परक्षेत्रेति । लिङ्थोंऽविवक्षित इत्याह । प्रवर्तयतीति । फलितार्थमाह । तस्मादिति ॥ १५७ ॥

# याज्ञवल्कीये १५८ श्लोकः।

व्यवहितसङ्गितिमाह । क्षेत्रस्वामिनेति । तस्यैव क्षेत्रस्वामिन एव । प्रसक्ति । पस्तुत-सीमानिर्णयपसक्तमर्याद्।प्रभेदनादिद्ण्डानुपसिकः तनिषेधकक्षेत्रस्वामिद्ण्डे तयेत्यर्थः । स्वामि-सम्बन्धि क्षेत्रं, तत्सम्बन्धात्क्षेत्रगतिचार इति भावः । क्वचित्, न तु सर्वत्र । विध्यन्तरम् अन्यविधिम् ।

अङ्गीकारं विना तदसम्भवादाह । क्षेत्रस्वामिपार्श्वे इति । योग्यतया आदौ द्वितीयपादार्थ-माह । पश्चादिति । आद्यपादार्थमाह । तच्च क्षेत्रमिति । अपिस्चितमाह । यद्यपीति । आङः फालादेश्वार्थानाह । ईषदिति । तत्फलितमाह । नेति । स पद्याप्यः कृष्टफलिमिति पाठेनाह । तस्येति । ईषत्कर्षणात्कृष्टार्थमाह । अकृष्टस्येति । स इत्यस्यार्थमाह । असाविति । पद्यप्य इत्यस्यार्थमाह । दापनीय इति । कृष्टशदमिति पाठेऽपि शदशब्देन फलमेव ।

एतेन "तं प्रदाप्याकृष्टशद्मिति तमकृष्टशद् प्रदाप्येत्यन्वयः । अकृष्टशद्मिति व्याचष्टे तस्याकृष्टस्य फलमिति " इतिः । द्वीकाष्याक्तरः । असंबद्धत्वात् व्याख्यानविरोधाच ॥ १५८॥ ॥ इति सीमाविवादः ॥

# अथ स्वामिपालविवादप्रकरणम् ॥ १० ॥

याज्ञवल्कीये १५९ श्लोकः।

व्यवहितान्यवहितसङ्गत्यभावेऽपि महाप्रकरणसङ्गितमाह । व्यवहारपदानामिति । क्रमः मनूकः । अर्थादाह । परेति । इदं सर्वविशेषणं यथासम्भवम् । तद्धीमिति । समांशवाचित्वेऽपि पाक्षिकषष्ठीतत्पुरुषः । अजाविकमिति समाहारद्वन्दः पाक्षिक इत्याह । अजा इति । असङ्गतिं परिहरति । मिक्रियादीकारिकि ।

अग्रिमोपयोगिनं विशेषमाह । माषश्चिति । एवमग्रे सर्वत्र बोध्यम् । ताम्निकेति । तामिकः २५ कार्षिकः पणः ' इति मूल्याध्याये कात्यायनेन दिरुकः । मूल्ठेऽपि उक्तत्वाच । इदं सर्वे मूल्याध्याये कात्यायनेन दिरुकः । मूल्ठेऽपि उक्तत्वाच । इदं सर्वे मूल्याध्यायविवरणे मत्कृते स्पष्टं तत एव बोध्यम् । विशासिम इत्यार्षम् । कातीयमाहः । पणस्यिति । गां प्रति दौ पादौ पणस्यार्धभागो दण्डः महिषीं प्रति तिद्वगुणं सम्पूर्णः पणो दण्डः । अज्ञादीनां तु पणस्य चतुर्थो भागो दण्डः इत्यर्थः । अत्र दण्डाधिक्यादेव ज्ञानिवषयतेति गम्यते । अन्यथा विरोधापत्तेः । अन्यविरोधं परिहरति । यत्युनिरिति । तथाशब्दः उभयत्र समुच्चेय साहृश्ये या । ३० तत्युनिरिति । दण्डस्य न्यूनत्वात् ॥ १५९ ॥

# याज्ञवल्कीये १६० श्लोकः।

उक्तहेतोरेवाह । अपराधित । उक्ते सर्वत्र । स्वयमित्यादिः । क्वचित् नारदायुक्तभिभ-विषये । यथोक्तादिति । अज्ञाने 'माषानष्टाविति ' मूलोकात् । द्विगुणो दण्डः ज्ञान-पूर्वके परसस्येति कातीयात् द्विगुणो दण्डः, अज्ञानपूर्वके तादृशे नारदोकात् द्विगुण इति विवेकी ५ बोध्यः । अत्र मानं कातीयमेवाह । वसतामिति । सवत्सानामिति भावः ।

आहेति। यथाकमं पादाभ्यामिति भावः। विवीत इति व्याप्त्र्यर्थस्य वीधातो रूपम् । विशेषेण वीतं व्यापनं तृणादेर्यस्मिनिति व्युत्पन्तेः। तदाह प्रसुरिति । अत एव रक्ष्यमाण इति । अत एव परिगृहीत इति । तस्य स्वरूपते निमित्तत्वादाह । तदुपघात इति । इतरेति सस्येत्यर्थः । 'वृक्षादीनां फलं सस्यम् ' इत्यमरः ( २ । ४ । १५ ) । योग्यत्याऽऽह । विद्यादिति । मिहषी- साम्यं वैविक्षकमाह । मिहषीति । यत्र क्षेत्रे पादशो यत्परिमाणो दण्डस्तस्या विहितस्तत्र ताहशैनेव तत्समेनैव दण्डेन खर उष्ट्रश्च तथैव स्वापराघे दण्ड्यो न तु विशिष्टमुभयमपीत्यर्थः । मनु समाहारद्वन्द्वानथैनोचितं अतोऽत्र हेतुमाह । सस्योपति । तयोस्तनाशकत्वे पत्येकं तयोस्त- त्तुल्यत्वादित्यर्थः । आहारायंशेऽत्यन्तभेदाभावादिति भावः । ननु वचनात् तथैव कुतो न अत अह । दण्डस्य चेति । नन्वेवं कथं समाहारोऽत आह । खरोष्ट्रमिति । अत एव पूर्वं १५ स्वयमितरेतरयोगः इतः ॥ १६०॥

#### याज्ञवस्कीये १६१ श्लोकः।

गौस्वामिनः गवादिस्वामिनः । क्वित् स्वामिन इत्येव पाठः । दण्डः, राजग्रहाः । म्यूनतानिरासायाह । सस्यग्रहणमिति । अत एव विवीतस्यापि ग्रहणम् । तदेवाह । यस्मिनिति । ध्वस्थार्थमाह । एतावतीति । फलितार्थमाह । तत्सेत्रेति । न फलिमिति । एतदैलक्षण्यवोषक २० एव तः । नन्वेवं धनदण्डोऽपि तस्य वचनाच स्यात्, अतोऽपवादं कचिदाह । गोपस्य चेति । अत एव न फलिमित्येव पागुकम् । क्वाचित्कत्वमेवाह । पालिति । गोपालेत्यर्थः । स्वद्रोषेणोति यावत्। पालनं पालः तहोषेणोति वाऽर्थः । अत्र मानं कातीयमाह । येति । नष्टा अद्शनं गता स्वामिनः ।

तुर्यपादं व्याचष्टे । गोमी पुनरिति । 'गोमी गोमान 'इत्यमरः (२।९।६८)। 'ज्योत्स्नातमिस्रोति ' (५।२।११४) सूत्रेणं निपातितोऽयम् । अत्रापि तुराब्दसूचितमाह । १५ जन्मेबाईति न ताडनिमिति । फलांशे तु तुत्यतैवेत्याह । फलेति ।

विशेषमाह । गवादीति । मध्यस्थेति । सामन्तादीत्यर्थः । तस्य प्रथक् तद्भावादाहै । कीत्रप्रायिति । गोभिरिति । गोभिरितदादिभिर्मिक्षितं सस्यं यः क्षेत्रस्वामी प्रतियाचते परावृत्यं याचते तस्म, सामन्तादिपरिकल्पितं यत् तत्रं क्षेत्रे वापितं तापदान्यं तदुत्पाचं तद्वादि तन्मूल्यं वा देयं, भिक्ताविशिष्टं पळाळं तद्दादि वृण्डासादिकं शेषे पष्ठी गोस्वामिने देयम् । 'यो नर ' इति १० सामान्यीकं विशेषाकांक्षायामर्थप्रकरणसिद्धमपि विशेषं स्पष्टीकुर्वभन्यशाह्यत्वभमाभावाय विशद्यति । भान्यमिति । यद्दा स्रलस्थळेऽप्यवमित्याह । धान्यमिति । वैशब्दः निश्चये । तस्मात्क्षेत्रस्वामिना सर्वथा तचाहर्तन्यमिति तात्पर्यार्थः ॥ १६१ ॥

#### याज्ञवल्कीये १६२ श्लोकः।

अपवाद्मिति । उभयोरिप प्रागुक्तसर्वापवाद्मित्यर्थः । अन्तराब्दः समीपवाची त्रयाणां द्वन्द्वोत्तरं षष्ठीसमासः । अथवा षष्ठीतत्पुरुषोत्तरपद्कद्वन्द्दगर्भः सः । सर्वव्याख्यात्रभमतोऽत्र द्वितीय एव । तद्वाह । मार्गेति । पथि मार्गेत्यपपाठः । आद्ये प्रामिविवितित्यत्र प्रामसमीपवितिनि विवीतसमीपवितिनि च क्षेत्रे वेत्यर्थः । द्वितीये प्रामसम्बन्धि यद्विवीतं तत्समीपेत्याद्यर्थः । प्रामाद्वहिर्यो गवादिस्थित्यर्थो भूपदेशः स विवीतपदेन लक्ष्यते, तत्समीपवितिनित्याद्यर्थो वा । अकामत इति पूर्वान्वयीत्याद् । अकामेति । गोभिः तदादिभिः । ननु प्रत्यक्षदोषस्य पापस्य च सत्त्वात्कथमदोषत्वं अत आह। द्रोषाभाविति । शिष्टं व्याचिष्टे । कामेति ।

अनावृतिति । आवरणरिहतेत्यर्थः । 'वृञ् वरणे ' इत्यस्य रूपम् । एवममे सर्वत्र । तज्ञ गरीहारस्थाने । मार्गादिक्षेत्रे, आदिना ग्रामादि । नन्वावरणमेव नोक्तमत आह । वृतीिति । १० तेनैव मनुनैव । वृति आवृतिम्, कण्टकादिमयीम् । तज्ञ क्षेत्रसमन्ततः । ताहशीमुनतामिति शेषः । कीहशीमित्याह । यामिति । अभिलक्ष्य परपार्श्वे इति शेषः । उष्ट्रोऽपि उन्नतोऽपि धान्यादि न पश्येदित्यर्थः । 'छिद्रं वा वारयेदि'त्यत्र वाशब्दः चार्थे । कचित् 'च वारयोदि'त्येव पाठः । निवारयेदिति पाठान्तरम् । यथाश्रुतो वा वाशब्दः । तयोः मुखमनु तत्समीपे गच्छति येन ताहशमित्यर्थः । मुखोन्मितमिति पाठान्तरम् । अयं भावः । तत्र क्षेत्रे समन्ततः उष्ट्रकर्तृकधान्यादिकमैकावलोकनायो- १५ ग्यां गाकारसहशीं अत्युनताम् आवृतिं कुर्यात् । तत्र यानि छिद्राणि श्वादिमुखप्रवेशयोग्यानि तान्यपि निवध्यात् । तस्य यथाश्रुतत्वे श्वादिमुखप्रवेशयोग्यानि तान्यपि निवध्यात् । तस्य यथाश्रुतत्वे श्वादिमुखप्रवेशयोग्यार्विक्छद्ररिहतं यथा तथाऽत्युनतां तां कृर्योदिति तत्करणे प्रकारान्तरकथनमिति ॥ १६२ ॥

#### याज्ञवल्कीये १६३ श्लोकः।

अपिः पूर्वसमुच्चेय । पूर्वार्षे पद्द्यम् । यथासम्भवं द्वन्द उभयत्रेत्याह । महानिति । २० 'अचतुर' (व्या. सू. ५१४।७७) इत्यादिना निपातितोऽयम् । सेका वृष इत्यन्वयः। 'साण्ड' इति प्रसिद्धः । वक्ष्यमाणाभिन्नः । कर्मधारयोऽग्रेऽपि । तेन तेषां तन्द्विनानां न ग्रहणम् ।

"अनिर्देशाहां गां सूतां वृषान् देवपश्ंस्तथा । सपालान्या विपालान्या अद्ण्ह्यान्मनुरत्नवीत्॥"
(अ. ८ को. २४२ ) इति मनोराह । अनिर्देशाहेति । अनिर्गतदशाहा गौरित्यर्थः । मानवे "चक्रश्लाङ्कितोत्मृष्टा वृषाः, हरिहराद्मितिमासंबन्धिपश्चो देवपशवः।" इति कुळ्ळूकभट्टः । २५ वशब्दबलानिमित्तान्तरपरतयोत्तरार्षं व्याचष्टे । येषां चेति । विभिन्नविभक्तिकत्वेन यथाश्रुतान्वयास-भवादाह । विद्यते इति । अध्याहारः । सस्येति । परेत्यादिः । मोच्या इत्यस्यैवार्थं प्राग्वदाह । न कृष्ट्या इति । ते चोशनसोक्ता इति पाटः । तथा च मनुरित्यपपाटः । तथा तन्नापाटात् । तन्न हेतुमाह । मजेति । हि यतः । राजसम्बन्धित्वात् । एकाक्षिषिकलः काणः । पादरहितः कुण्टः । पंत्रिरित यावत् । शश्यत् वारंवारं सस्यनाशकत्वेन कृतं लक्षणम् अङ्कनं धनप्रहणादि वा येषाम् । ते ३० मुनः पुनः सस्यनाशकत्वेन दृण्डिता इति यावत् । आगन्तुकी सूतिका अभिसारिणी या गर्भा-धानार्थमभिसरित सा चेति त्रिविधा गौथ्यादण्ड्या । राजगृहे उत्सवे शाद्धसमये चेत्याद्यर्थः । असङ्का-तिमंशे परिहरित । अत्रोत्सृष्टेति । उत्सृष्टवृषाणामि गर्भार्थं गोकुले पालैर्धारणात्सपालत्वसम्भव इति इति द्याव्याव्यातरः ॥ १६३॥

# याज्ञवल्कीये १६४ व्लोकः।

यथेति भिन्नं पदं, तद्थौं गणियत्वेति । तथेत्यस्य तथैवेति । तस्य च विगणय्येत्येवार्थः । मृतेति निमित्तद्वयं नैकम्, अन्यतरवैयर्थ्यापत्तेरित्याह । मृतानिति । कृतेत्यनेन तदभावे । भृतिर्वेतनम् । प्रतीति पूर्वान्वयि । गोपे इत्युभयान्वयि । भृतिरित्यस्यायेऽप्यनुषङ्गः । नाश्रश्च नाशादि च । नष्टमिति । तृतीयपाद्स्य सर्वत्र पूर्वत्रान्वयः । गोपालसम्बन्धिरक्षणाख्यपुरुषव्यापारेण हीनं रहितं क्षतं नष्टं दृष्टिगोचरातीतं कृमिभिर्जग्यं भक्षितं श्वभिः उपलक्षणत्वेन स्वापदादिभिर्हतं विषमे श्वभादिमदेशे पतनेन मृतं च गोपाल एव स्वामिने द्यादित्यर्थः । प्रसद्धोति । चोरैर्बलादप-हतानेतान् गवादीन् स्वामिने गोपालो न दाप्य इत्यर्थः । एतेन चोरैबेलाद्पहतस्वात् पालात् स्वामिने पशुर्न दाप्य इति व्याख्यानमपास्तम् । विघुष्येति । चोरैः पटहायुद्दोषेण पसिद्धमपद्दतं पालो १० दातं नाहीति. यदि तस्मिनेव देशे संनिहितोदेशे हरणे तस्मिनेव काले हरणोत्तरमेव स्वस्य स्वामिने कथयतीत्यर्थः । शेषत्वविवक्षायां षष्ठी । अन्यथा तु दाप्य एव । अत एव न दातुमर्हतीत्युक्तं, नं तु न दाप्य इति । तु पुनः मरणोत्तरम् । पुनिरत्येव पाठे त्वर्थे सः । चर्म त्वक् । वालान लोमानि चिल्लभूतानि । बस्तिर्मुत्राधारोऽङ्गविशेषः । ''बस्तिर्नाभेर्द्वयोरधः'' इत्यमरः ( २।६।७३)। स्नायुर्वस्नसा । 'अथ वस्नसा स्नायुः स्त्रियामि'त्यमरः ( २।६।६६ )। पायुमिति पाठान्तरम् । १५ रोचना गोरोचना । एतानि पशुस्वामिषु वैवक्षिकमप्तमी द्यात् । तुश्रार्थे । मृतेष्वित्यभया-न्वाय । तथा च तेषु मृतेषु अन्यान्यप्यङ्गानि ज्ञातिज्ञापकानि, शृङ्गखुरादीनि द्र्शयेत् इत्यर्थः । अङ्कांश्चेति पाठे पशुदेहस्थितान्मुद्रादिचिह्नानिप दर्शयेदित्यर्थः । 'अङ्काश्च दर्शयिनिति ' पाठे तेषु मृतेषु अङ्कान चिह्नानि दर्शयन्सः कर्णादिकं तेभ्यो द्यादित्यर्थः । 'अङ्कानीति ' पाठेऽप्येवम् । इति मन्तवचनादिाति पाठः । इति स्मरणादिति पाठेऽपि तथा ॥ १६४ ॥

#### याज्ञवल्कीये १६५ श्होकः।

किं चेति । अन्यद्पि गोपं प्रत्युच्यते इत्यर्थः । तस्यानुषङ्गेण तुर्यपादे तस्य द्रव्यं देयत्वेन विधीयते चेति शाब्दोऽर्थः । तद्नुरोधेनोभयत्र फलितमेवाह । अर्धाधिकत्रयोदशपणमिति । अधिकेन समासस्य विहितत्वादेवमुक्तम् । 'द्रव्यमिति ' मौलस्य व्याख्या विनष्टेति । पालो दाप्य इत्यस्यानुषङ्गः । षष्ठी प्राग्वत् । पौनरुक्त्यं परिहरति । द्रण्डेति । प्राग्नुकवचनेनैव द्ण्डस्य प्राप्तत्वा- १५ समनूद्यार्थत्रयोदशपणत्वरूपतत्परिमाणांश एव अत्र विधेय इत्यर्थः ॥ १६५ ॥

# याज्ञवल्कीये १६६ श्लोकः।

विरोधात् ग्रामशब्दस्तत्स्थजनपरः प्राग्वदित्याह । ग्राम्योति । दितीयपादार्थद्वयमाह । भूम्यल्पन्ति । तात्पर्यार्थमाह । ग्रवादीनामिति । चरक्षार्थमिति । चरणार्थमिति पाठान्तरम् । तृणेति अस्वामिकतृणाद्यन्तराभावे इत्यर्थः । गवाग्रीत्यनेनान्यार्थं तद्भावः स्वितः । सर्वतः आवृताद्ना- ३० वृताच । स्ववत स्वतुल्यम् । वतिप्रत्ययस्चितमाह अनिवारित इति । अनेन निवारितः सच गृह्णीयादिति स्चितम् । इद्मेव ततो न्यूनत्वम् । सर्वत इति पृष्पाणीति च स्चितमाह । फलानि त्वपरिवृतादेवेति । आवरणरहितादेवाहरेच तु सर्वत इत्यर्थः । तत्र हेतुमाह । गोऽग्न्यर्थमिति । वैकल्पिकत्वाद्वङ् न । इदं देवताया अप्युपलक्षणम् । एधांसि काष्ठानि । वीकदित्युभयान्वयि ।

च पुष्पाणि पुष्पाणि च । चोऽये त्वर्थे । एतचेति । दिजस्तृणैध इति मूलोकं चेत्यर्थः। दिलेति । वर्णत्रयान्यसूद्रादेरपीत्यर्थः । तेनैव गौतमेनैव ।

नारद्विरोधं परिहरति । यत्पुनिरिति । मूले दिजस्योक्तत्वादाह । द्विजव्यितिरक्तिविषय-निति । अनापृच्छिनित्यनेन तस्य परिगृहीतविषयताया एव लाभादिति भावः । तृणान्तराभावे इत्युक्तेस्तत्सत्त्वे द्विजस्यापि तत्र परनपूर्वकमेव ग्रहणं नान्यथा । अन्यलाभेऽनन्यगतेरभावादित्याराये-नाह । अनापद्विषयमिति । गवादीत्यनेनान्यार्थमग्रहणं स्चितम् । तदाह । गवादीति ॥ १६६ ॥

याज्ञवल्कीये १६७ श्लोकः।

इदं वक्ष्यमाणम् । स्थानं स्थितिर्गतिनिवृत्तिः । आसनसुपवेशनम् । अन्तरं व्यवधानम् । चतुर्हस्तं धनुः, धनुषां शतं, तस्य परिच्छेद्यत्वेनान्वयादाह । धनुःशतपरिमितमिति । यद्यपि । परिणाहो विशालता १ इत्यमरः (२।६।११४), तथापि सामानाधिकरण्याय धर्मिपरमत्र । तदाह । १० सर्वत इति । सस्यमित्यादेर्भूस्थानमिति विशेष्यं बोध्यम् । अत एव मनुः—(अ.८।२३७)

" धनुःशतं परीहारो ग्रामस्य स्यात्समन्ततः । शम्यापातास्त्रयो वाऽपि त्रिगुणो नगरस्य तु "

इति । शम्या दण्डयष्टिः । सा बाहुवेगेन प्रेरिता यत्र भूस्थाने पति तादृशास्त्रय इत्यर्थः ।
त्रेगुण्यमुक्तान्यतरापेक्षया । प्रचुरेति खर्वटशब्दार्थः । कण्टकानां सन्तानो विस्तारो यत्र ते, प्रचुरास्ते

यत्र तस्येत्यर्थः । बहुकण्टिकवृक्षाक्रान्तस्येति यावत् । श्रामस्य क्षेत्रस्य चान्तरं धनुषामिति १५
शेषः ॥ १६७ ॥

इति स्वामिपालविवादः॥

# अथ अस्वामिविक्रयप्रकरणम् ॥ ११ ॥

# याज्ञवल्कीये १६८ इलोकः।

उपक्रमते वक्तुं पारभते । आद्येन मूलकृदिति शेषः । निक्षिप्तमिति । निक्षिप्तं परद्रव्यं नष्टं वा परद्रव्यं लब्धं वा परद्रव्यमपहृत्य वा यत्स्वामिनोऽसमक्षं विक्रीयते इत्याद्यर्थः । तत्र स्वामिनो-ऽसमक्षमित्यस्य परोक्षमित्यर्थः । तद्नुज्ञामन्तरेणेति यावत् ।

अथ मूलमवतारयति । तत्रोति । तत्र एवंविधेऽस्वामिविकयस्थलेऽस्वामिविकेतृविषये कि शास्त्र-विधानं कीदृशं भवतीत्याशङ्कायामाहेत्यर्थः । स्वशब्द् आत्मीयपर इत्याह । आत्मेति । ततश्चार्थात् २५ धनमेवेत्याह । द्रव्यमिति । शेषं पूरयति अगत्या । यदीति । पाग्वदाह । विकीतग्रहणमिति । दृत्ताहितयोः दृत्ताहितयोरिप । उक्तं कात्यायनेन ।

दितीयपादार्थमाह । केतुरिति ।

उत्तराधार्थमाह। तथिति। हीनादित्यादीनां तस्करत्वेऽन्वयः। कयः सर्वत्र विशेष्यभूतो बोध्यः। तद्वयिति। अपहृताद्यनीति। तद्वयित्याद्यम् । तद्र्थमाह। रहसि ३० चिति। उक्तेनापौनरुक्त्यायाह। संभाव्यति। यहस्तु यावन्मृत्यद्वयम्हित तस्माद्गि न्यूनेन मूल्येने-त्यर्थः। मकारान्तरमाह। अल्पेति। तस्करत्वातिदेशफलमाह। तस्करविति। तदीयदण्डादीत्यर्थः। आदिना शासनादिः। यथोक्तमिति। नार्देनेति भावः (अ. ७ श्लो, २)। समापु-

यादिति पाठः। प्रकाशं यथा स्यात्तथा यः क्रयस्तस्मात्। सार्वविभक्तिकस्तसिः अपादाने इति वा केतुः, तत्कर्तुरित्यर्थः। क्रेतुरित्यग्रेऽप्यन्वेति ॥ १६८ ॥

#### याज्ञवल्कीय १६९ श्लोकः।

दूषियुमेकदेशीयमतमनुषद्ति। नष्टमित्यादिना। मूले समाहारद्दंद इति भावः। तत्फलमाह।
अतिमत्यादि । उत्तराधर्थिमाह । अथेति । मूले देशकालयोरितपित्तिरिति सुप्सुपेति सप्तमीसमासः। तत्राबेऽतिपत्तिर्गमनम्, देशशब्द्ध विशेषपरः कालशब्दोऽपि, दितीयेऽतिपत्तिर्मरणम् इत्याह । अविदितेति । मूलेति । विकेत्रित्यर्थः । यद्दा मूल्येत्यर्थः । क्षन्तिचथैव पाठः । तद्धनं गृही-त्वेति शेषः । शुद्धः। राज्ञाऽदण्ड्यक्ष ।

अयं भावः । नष्टं वाऽपहतं वाऽन्यदीयद्रव्यं क्रयमितग्रहादिभिरस्वामिनः सकाशाद्यः कश्चन १० प्राप्य स्वयमप्यन्यस्मै विक्रीणीते तस्माक्केता पुरुषस्तं विक्रेतारं रजनीचरादिभी राजपुरुषेर्ग्राहयेत्, स्वचौर्यनिवृत्त्यर्थे राजदण्डाप्राप्त्यर्थे च । अथ केनापि प्रकारेण तं ग्राहयितुं प्रदर्शयितुं वा न समर्थ-स्तदा तस्माद्गृहीतं द्रव्यं मुलस्वामिने समर्प्य स्वयं शुद्धो भवतीति ।

दूषयति । तदिदमिति । तत्र हेतुमाह । विकेतुरिति । वक्ष्यमाणेन मूलेनेत्यर्थः । स्वेष्टार्थ-माह । अत इति । नाष्टिकं प्रति । न तु द्वितीयकेतारं प्रति । अत एव तद्विरुद्धमाह । आत्मी-१५ यमिति । आसाबेत्यस्यार्थमाह । केत्रिति । तं नरम् । देशकालातिपत्ताविति पर्धाततपुरुष इत्याह । देशकालातिकमे इति । तयोरितिकमणे इत्यर्थः । तद्विज्ञापनकालादिति । स्थानपालादिभ्यः कथनकालादित्यर्थः । गृहीत्वा । तमिति शेषः ॥ १६९॥

हर्तरि केतरि । किमिति तेनैवेति भावः ।

#### याज्ञवल्कीये १७० श्लोकः।

२॰ गृहीतः याहितः । अपहृतमिति । किं त्विंति शेषः । मात्रपद्लब्धमेनाह । न पुनिराति । पश्चाद्पीत्यर्थः । मूले विकेतिर । यस्माऋति तेन तस्मिनिति यावत् । एवमग्रेऽपि । सतिसप्तमी । नाष्टिकस्य नष्टथनस्वामिनः ।

अथात्रिमार्थमाह। तस्मिषित्यादिना। आदौ तर्युपादार्थमाह। तस्येति। तस्मादित्यस्यार्थमाह। तस्य सकाशादिति। दण्डाभ्रमायाह। स्वीयमिति। विशेषानुक्तेराह। अवाप्नोतीति।
विशेषमाह। अथासाविति। विकेतेत्यर्थः। कातीयमाह। प्रकाशमिति। तत्र विवादे।
कयं शोधियत्वेति। स्वक्रये साक्ष्यादिपदर्शनेनेत्यर्थः। शुद्धः अतस्करः। तमेवाह। असमाहायैति। स एव केतैव। तमेवाह। अनुपस्थापयन्निति। अपदर्शयन्नित्यर्थः। वृथेति। अभियुज्यमानमनतिकम्येत्यर्थः। दमं च, राज्ञेति शेषः। सः केतेति विशेष्यम्॥ १७०॥

# याज्ञ स्टर्नाटे १७१ श्लोकः।

३० व्यविहतसंगतिमाह । स्विमिति । तिहिति । तिष्ठाभेच्छुना स्वामिनेत्यर्थः । उपभोगेन वेति पाठः । एवं प्रकारेण । नष्टमित्युपलक्षणमित्याह । अपहृतं वेति । मूलेऽतोऽन्यर्थेत्यस्यैव विवरणं तेनाविभाविते इति । तद्र्थमाह । तेन स्वामिनेति । नाष्टिकेनेत्यर्थः । अविसादि असाधिते । तस्येत्यस्यार्थमाह । नष्टद्रव्यस्येति । तत्रेति तत्र पाठान्तरम् । अर्थः स एव । यद्यपि 'बन्य आदौ च बन्धने ' इति कोशस्त्रथाप्युभयत्र लक्ष्यार्थमाह । पञ्चमांश इति । तच्छोघनेनैव

शुद्धेः दानाभावसंदेहाभावाय प्राग्तककमं स्पष्टयति । अत्र चेति । आत्मदाेषेति । चौर्येत्यर्थः । साधियत्वेति । साक्ष्यादिभिरिति भावः । द्रव्यं तदीयम् ॥ १७१ ॥ याज्ञवल्कीये १७२ श्लोकः ।

प्रच्छाद्कमिति । स्वेनैव द्रव्यस्य ततो यहात्फलाभावेन कारुण्येन च राजादावप्रकाशकमिन्त्यर्थज्ञानाय मूले परहस्तादित्युक्तम् । यद्दा । परहस्तं अति गच्छतीति ब्युत्पस्या प्रथमान्तं द्रव्यिवशेषणम् । तदाह । चौरादिहस्तस्थिमिति । आदिनोदासीनादिग्रहणम् । तथा चादौ अग्रे च तस्करग्रहणमप्युपलक्षणमिति भावः । 'नृपस्येति ' शेषे षष्ठी । दर्पादीति आदिना भयप्रार्थनादि । लिङ्ग्यीऽविवाक्षित इत्याह । गृह्णातीति । प्राग्वदाह । षिडिति । तत्परिमितान्पणान् । तञ्च दोषान्तराभावाद्वेतुमाह । तस्करेति ॥ १७२ ॥

# याज्ञवल्कीये १७३ श्लोकः।

शुल्कं राजग्राह्यः करः । आहतमित्यस्यार्थमाह । राजेति । परत इत्यस्यार्थमाह । अध्व-मिति । विशेषमाह । स्वोति । प्रबुद्धः तत्पुरुषाः । विख्याप्य जनसमृहेषूद्धोष्य ।

विरोधं परिहरति । यत्पुनिरिति । प्रनष्टस्वामिकमिति पाठः ।पाठान्तरेऽदृष्टस्वामिकमित्यर्थः। एवं गतिद्वयं प्रागपि । तत्र व्यस्तपाठोऽपि । श्रुतेति । वेदशास्त्रसदाचरणपूर्णेत्यर्थः । उत्तरसङ्गतये प्राग्वदाह । रक्षणिति । बहुवीहिः । एवमग्रेऽपि । आद्यर्थो वचने एव स्फुटः । तेनैव मनुनेव । १५ अथ रक्षणानन्तरम् । षङ्गागम् षट्त्वसंख्यापूरकभागम् । प्रनष्टाधिगमादिति । अधिगमे कर्माणि वत्र् । प्रनष्टाद्धिगम्यमानात् द्वव्यादित्यर्थः । यद्वा प्रनष्टस्याधिगमात्मातिपूर्वकरक्षणाद्धेतोरित्यर्थः ।

व्यवस्थामाह । तृतीयेति । भागानुसारेण व्युक्कम इति भावः । बृहस्पतिः—
"राजाऽऽद्दीत षड्भागं नवमं द्वाद्शं तथा । शूद्रविट्क्षत्रजातीनां विपात् गृह्णीत विंशकम् ॥
"त्र्यव्दार्ध्वे तु नागच्छेत्तत्र स्वामीकथंचन । तदा गृह्णीत तद्राजा ब्रह्मस्वं ब्राह्मणान् अयेत् ॥ "इति ॥

वौधायनायः (१।१०।१६) "अबाह्मणस्य पनष्टस्वामिकरिक्थं संवत्सरं परिपाल्य राजा हरेदिति।"

**नारदः**- (अ. ३। श्लो. १८)

"अस्वामिकमद्ायादं द्शवर्षस्थितं ततः। राजा तदात्मसात्कुर्यादेवं धर्मो न हीयते "॥ इति।

एतेषामि व्यवस्था प्रागेवोक्ता । तदाह । प्रपञ्चितमिति । अत्र च प्रनष्टस्वामिकद्रव्ये २५ एकवर्षत्रिवर्षद्शवर्षधारणिवकल्पानां व्यवस्था दूरतमदेशवर्तितदीयपुत्रादिदायादवार्तायां सत्यां नाना-विधानेकगमनप्रतिबन्धसम्भवे वाऽवगन्तव्येति तु कल्पतसः । पुरस्तादिति । अत्रैवाध्याये इति भावः ॥ १७३॥

# याज्ञवल्कीये १७४ श्लोकः।

महिषोष्ट्रगवामित्यार्षत्वात्साधुः । प्रनष्टाधिगते सित । एवमग्रेऽपि । धनदाने निमित्तमाह । ३॰ रक्षणिति । इंद्वात्समुदाये प्राप्तावाह । प्रत्येकमिति । उभयत्र । अजाविके इति पाग्वत् । तत्र द्वितीये उपपत्तिमाह । अजेति । विष्सेति । एवं प्रागपि बोध्यम् ॥ १७४ ॥

इत्यस्वामिविकयपकरणम् ।

# अथ दत्ताप्रदानिकप्रकरणम् ॥ १२॥

अधुनेति । दानप्रसङ्गादिति भावः । तत्र ताबदेतत्प्रकरणाभिषेयं प्रमेयं निष्कष्टमाह । विहिन्तिति । यथासंख्यमन्वयः । विहितमार्गाश्रयं द्त्तानपाकर्माख्यम्, अविहितमार्गाश्रयं द्त्तापदानिकाख्यमित्यवान्तरभेदः । तदाह । इति चेति । किंचेतीत्पर्यः । उभयसामान्यमाह । दानाख्यमिति ।
चस्त्वर्थे । तत्रैकोक्तेर्न्यूनतानिरासाय नारदीयं व्याचष्टे । असम्यगिति । अस्यवार्थमाह । अविहितेति । तत्र य इत्यस्य कश्चिदित्यर्थः । अत एवासंभवाज तस्य तच्छब्देन परामर्शे इत्याकांक्षानिरासाय शेषं पूर्यित । यस्मिनिति । तस्य योगार्थमप्याह । दत्तस्येति । अपदानमिति च्छेदः ।
अत एवाह । पुनरिति । षष्ठीसमासगर्भो मत्वर्थीयष्ठन् । अविहितत्यिद्ना तत्स्वरूपनिरुक्त्येव तिहपरीतक्रपस्य द्त्तानपाकर्मणः स्वरूपमर्थसिद्धमेवेति हिना सूचितमेवेति न पृथक्कथितमित्याह । विहितेति ।
१० तदेव दानाख्यमेव । तथोगार्थमाह । दत्तस्येति । अनपाकर्भेत्यस्यार्थः । अपुनरिति । शास्त्रविहितमार्गेणेव दत्तत्वात्पुनरादानस्य निषिद्धत्वेनापुनर्यहणमित्यर्थः ।

तच्च दिनिधं दानाख्यं व्यवहारपदं च । एकैकस्य दैनिध्याचतुर्निधत्वं, तदाह । अथ देयमिति । देयं दत्तं चेति द्वयं द्त्तानपाकर्मभेदः । अदेयमद्त्तं चेति द्वयं द्त्तापदानिकभेदः । एवं तत्र दानमार्गश्चतुर्निधो निज्ञेय इत्यर्थः । तत्र तेषां मध्ये । अनिषिद्धिति । अनिषिद्धा या दान-१५ किया तथोग्यमित्यर्थः । कुटुम्बानिरोधि स्नीयद्रव्यं हि तादृशम् । अस्वतयेति । अन्नाहितादि-कमस्वतया दानानर्हे, कुटुम्बोपोषणेऽपर्याप्तं तन्मात्रपर्याप्तं वा स्वं द्वयं निषिद्धतया दानानर्हमिति निवेकः । अञ्चावर्तनीयमिति । अपुनर्याद्यमित्यर्थः । यत्यत्याहरू अध्यक्तिति । यथाकथंचि-दत्तं पुनर्योद्यमित्यर्थः ।

नारदोक्तार्थपरतया मूलमवतारयति । तदेतदिति । पूर्वोकं सर्वमित्यर्थः ।

# याज्ञवल्कीये १७५ श्लोकः । ( प्रथमपादः )

प्राग्वदाह । आत्मीयमिति । स्वतस्तस्य तद्विरोधादाह । अनुपरोधनेति । तद्विघाते-नेत्यर्थः । तस्यापि तात्पर्यार्थमाह । कुदुम्बभरणेति । देयमित्यस्यार्थमाह । द्यादिति । विशेषण-फलमाह । तदिति । कुदुम्बेत्यर्थः । वृद्धौ अशीत्युत्तरसंख्याकौ । शिद्धाः षोडशन्यूनः । आकार्यशतमि अकार्यदुष्पतियहायानन्त्यमपि । मनुरिति । इतीत्यादिः । एवमग्रेऽपि ।

- २५ पूर्वे नारहोत्त्या अस्वतयेत्यादिना अदेयं दिविधमुक्तम्। अतः संक्षेपप्रकारमेवाह। स्विमिति। आद्यादेयं व्यतिरेकेण मूलकृता दिशितमित्याह। स्वं दृद्यादिति। अन्वाहितिति। अत्र कमस्य वक्ष्यमाणनारदीयस्य विविक्षितत्वान्न दोषः। इन्द्वोत्तरपद्कद्दन्द्वो वा। एवं कुटुम्बेत्यनेन तद्पर्याप्तं निषिद्धतया न देयमिति द्वितीयमप्यदेयं व्यतिरेकेणैव दिशितमित्यपि बोध्यम्। तथा च अस्वं अदेयं, स्वमपि तद्पर्याप्तमदेयमिति द्विविधमदेयमिति सिद्धमिति तात्पर्यम्।
- ३० व्याख्यात्राऽन्वाहितादिपश्चानामदेयत्वमुकं, नारदेन त्वष्टानामिति तिहरोधमाह। यत्पुनरिति । कष्टास्वित्यापिदशेषणम् । कष्टासु अत्यन्तदुः खद्रापत्स्विप वर्तमानेनेत्याद्यर्थः । काष्टास्विति पाठे सर्वासु दिश्च आपत्स्वपीत्याद्यर्थः । तं परिहरित । तिदिति । मात्रं कात्स्न्यें । न पुनः
  न तु । अन्वाहिताद्यष्टानामेकगणपाठोऽदेयत्वमात्रसाम्येन, न तु अस्वत्वेनेति भावः । अत्र हेतुमाह ।
  पुत्रोति । प्रतिश्रुतेषु त्रिष्ठ । चस्त्वर्थे ।

एवमाद्यपादं व्याख्याय द्वितीयपादांशं व्याख्यातुमवतारयति । स्विमिति । दारसुतग्रहणसुपलक्षणिमित्याह । दारसुतादेरिति । समाहारद्वन्दस्तत्र । तदाह । दारसुतिमिति ।
तृतीयपादं व्याचष्टे । तथेति । मनुमाह । पुत्रानिति । वृत्तिं जीविकास् ।
तुर्यपादं व्याचष्टे । तथेति । यत्यदार्थमाह । हिरण्यादिकामिति ॥ १७५ ॥
उत्तरसङ्गतिमाह । एविमिति । उक्तप्रकारेणेत्यर्थः । चो वाक्यालङ्कारे । आहेति । अर्धेनोति
भावः । अत एव तद्वतरणपूर्वकं वक्ष्यित—

याज्ञवल्कीये १७६ श्लोकः।

प्रतिग्रहे भावे घञित्याह । प्रतिग्रहणिमिति । उक्तप्रकारेणेत्यर्थः । स्यादिति विधिरित्याह । कर्तव्य इति । तत्फलमाह । विवादिति । इद्मुभयान्वयि । तस्य विशेषण तथा प्रतिग्रहे हेतुमाह । तस्येति । स्थावरस्येत्यर्थः ।

दितीयार्धं मकरणसम्बन्धमवतारयति । एवमिति । यदि तु प्रतिग्रहशब्देन करणघञोत्सर्गौ दानास्य एवोच्यते तद्पि पकृतसम्बद्धमेवेति बोध्यम् । पादभेदेन वाक्यद्दयं न तु देयादिभेदेनेत्याह । यदिति । विशेषमाह । धर्मार्थमिति । अनेनान्यस्यातथात्वं सूचितम् । प्राग्वदेवोक्तहेतोराह । यद्यसाविति । यस्मै दातुं प्रतिश्रुतं स इत्यर्थः ।

एवं देयादेयविषयं वक्तव्यमभिधाय द्ताद्त्तविषयं वक्तव्यं वक्तुं तस्य द्वितीयपादं समतीकं १५ ब्याचष्टे । दत्त्वेत्यादि । पुनः, पश्चात् । द्त्तानपहरणकथनेनैव तत्यतिपक्षभूतस्याद्त्तपत्याहरणस्यापि कथनमर्थसिद्धमेव नारद्वदित्याह । यत्पुनरिति । चोऽप्यर्थे । दत्तं तत्सप्तविधमिति ।

" तत्र त्वष्टावदेयानि देयमेकविधं स्मृतम् । " ( अ. ४ । ३ ) इति अस्यादिः ।

नारदीयं सर्वं क्रमेण व्याचष्टे । अयमर्थं इति । क्रीतद्रव्यस्येति बहुवीहिः। तुष्ट्या, सन्तो-षेण । दुहित्रिति । दुहितुः पुत्रादिभ्य इत्यर्थः । दृष्टस्योक्तत्वात् अनुग्रहपदेन तदित्याह । अह- २० हेति । 'सर्वे वाक्यमिति' न्यायेनाह । दृत्तमेवेति । एवव्यावर्त्थमाह । न प्रत्याहरणीयमिति । नारदीये दृत्तपदं पण्यमूल्यादिशेषतया स्वतन्त्रतया च तन्त्रेणोपात्तमिति भावः । यज्ञाहृष्टार्थमि-त्येव पाठेऽनुग्रहार्थमित्यस्यैव व्याख्यानं तद् बोध्यम् ।

अद्तं त्विति व्याचिष्टे। भयेनेत्यादि। तत्र भयं च क्रोधश्च शोकश्च तेषां वेगस्तेन रुजा पीडा न्या अन्वितेरिति शाब्दोऽर्थः। तत्फलितमाह। भयेनेत्यादि। बन्दीति कारागृहाधिकृतादिभ्य २५ इत्यर्थः। निर्यातनं दूरीकरणम्। अन्यस्मे, येन साकं पित्रादीनां वैरं तस्मै। पुत्रादीति पाठा-न्तरम्। छलसंबद्धमेव योगपदं नान्येन। योगत इति तृतीयान्तात्सार्विवभक्तिकस्तासिरित्याह। उत्कोचेनेति। तस्मा इति। तस्मा एव। तद् अन्यदा द्दातीत्यर्थः। शतदानिमिति। शतं दीयमानिति मनिस निधाय कारणोच्छ्वासादिवशात्सहस्रं दीयते इत्युक्तौ सत्यां मनसोऽनिभिषेतम-प्युक्त्यनुसारेण यत् दीयते तदित्यर्थः। उन्मत्तान्तेन इंदोत्तरपद्कद्देनापवर्जितमित्यस्य ३० दत्तमित्यर्थकस्य साधनं कृतेति समास इत्याह। बालेनेत्यादि। मदनीयोति। तत्साधनद्रव्येण यो मत्तसेनेत्यर्थः।

कर्तोति व्याचष्टे तथेति । ममेद्मित्यस्यार्थो । मदीयमिति । कर्त्तेति छुडर्थानयतनत्वमात्रं न विवक्षित्तमित्याह । करिष्यतीतीति । अपात्रे इति तस्य तत्त्वविवक्षायां सप्तमी । अपात्रायेत्यर्थः ।

तदाह । अचतुर्वेदायेति । उक्ते इत्यत्र "अर्शआयच्" (व्या.स्. ५।२।१२७)। सप्तमी तथैवेत्याह । चतुरिति । अकार्ये इति छेदः । सप्तम्युभयत्र प्राग्वत् । धर्मः संहितो येनेति । आहिताग्न्यादिः । कर्तव्यत्वेन धर्मे जुवते, अकार्ये अकार्ये यस्य तस्मै अकार्यकर्त्रेऽविज्ञानायद्वत्तं स्यादित्यर्थस्तदाह । यज्ञमिति ।

विशेषमाह । आर्तेति । वेत्यस्योभयत्रान्वयः । दन्तिमित्यस्य संकल्पितमित्यर्थः । अत एव साधारणमाह । अद्देवित । मृते, तिसमन् सित । पूर्व पूर्णे दाने तु न परावृत्तिरिति तुना सूचितम् ।

कात्यायनेनेव सर्वविवादसाधारणमन्यद्प्युक्तमित्याह। तथेदमिति । वक्ष्यमाणम् । अपरम्, उक्तभित्रम् । तद्र्थमाह । योग इति । उभयत्रेति भावः । कृतसमाहारद्दंद्दाभ्यां योगयोस्तृतीयासमास इत्याह । योगेनेत्यादि । आधमनादीनाह । आधीति । विशेषेण क्रीतिमित्याह । क्रयेति । भावे क्र १० इति भावः । विगमे, तज्ज्ञाने । अस्य अपरस्य ।

विशेषान्तरमाह । यः पुनरिति । यस्तु । अद्त्तं गृह्णातीति । पाठः तद्ग्रहणे मूलमाह । लोभादिति । अत एवाज्ञः स इति भावः । यद्यपि ताबुभाविप द्ण्ड्यावित्येव सिद्धं तथापि स्फुटार्थं व्युक्तमेण सांनिध्यादाह । अदेयदायक इति । तथा, च । अद्तेति । अद्तं प्रतीच्छक इति तथा । सचवर्गः प्रतीच्छधातुर्ग्रहणार्थः । धातुगणे बाहुलकोक्तेरिति भावः ॥ २७६ ॥

१५ इति द्त्तापदानिकप्रकरणम् ।

# अथ क्रीतानुशयप्रकरणम् ॥ १३ ॥

पाग्वदाह । कीतिति । तत्र संगतिं सूचयजाह । तिदित्यादि । वहु, विपुलम् । सम्यगिति यावत् । तत्र च तद्नुराये च । तेनैव, नारदेनैव, एवमग्रेऽपि । षष्ठी पाग्वत् । 'तिस्मिन्नेवाङ्गच-विवक्षतिमिति 'पाठः । नाशरिहतामिति तदर्थः । आविक्षितामिति पाठेऽप्येवम् । आवहेत्, त्यजेत् । २० तस्मै द्यात् । तावता न्यूनं मूल्यं याह्यमिति यावत् । द्विगुणं पूर्वोक्तिंशांशात् द्विगुणं, पश्चद्शांश-मिति यावत् । तुर्यपाद्स्य तात्पर्यार्थमाह । परत इति । अनुरायो, विचारपूर्वकपश्चात्तापः ।

संगतये विशेषमाह । एतच्चेति । नारदोक्तं चेत्यर्थः । बीजादीति । बीजादिव्यतिरिक्तं च तत् उपभोगादिविनश्वरं च तत् वस्तु च तदिषयकिमत्यर्थः । भोगविस्त्विति पाठे स्पष्टार्थम् । भोगविस्त्विति भोग्येत्यर्थः ।

### याज्ञ व्हरीये १७७ श्लोकः ।

एवं स्मृत्यन्तरोक्तं मनिस निधायोक्तान्यविषये मूलकृत् प्रत्यर्पणप्रकारं दर्शयतीत्याह । बीजा-दीति । दरोकेति। पूर्वोधं समाहारद्वंदोऽये पूर्वमितरेतरद्वंद्वपूर्वकसमाहारद्विगुः । अत एव वक्ष्यति ' द्शा-हादिक 'इत्यादि । उत्तरार्धे इतरेतरद्वंदः । क्रमस्य विवक्षितत्वाच दोषः । तदाह वीजिमित्यादि । अय इत्युपलक्षणामित्याह । लोहादीति । परीक्षणपदार्थमाह । परीक्षाकाल इति । करणल्युटा कालसामान्यवाचकं तदिति भावः । एतत्कथनफलमाह । परीक्ष्यमाणे चेति ।

मनुविरोधं तेनैकस्यैव कालस्य सामान्येनोक्तवात्यातं मूलनारद्योः परिहरति । यन्विति । इह, व्यवहारे । द्वितीये आह । आददीत चेति । विचारस्य तुल्यत्वात् तदेकतयैव मनुनोक्तवान्मूलकृताऽप्येकतयैवौक्तं न तु भेदेन । कल्पतर्वादीनां भेदेनोक्तिस्तु स्पष्टार्थेति बोध्यम् । मूलाविरोधायाह । उक्तलोहार्वे कि । नारदाविरोधायाह । उपभोगानश्वरेति ।

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सर्वं मनुमूलनारदोक्तम् । परीक्षापूर्वककये विशेषमाह । यत्पुनरिति । परीक्षितं सदिष्टि शेषः । परीक्ष्येति पाठान्तरम् । पुनः पश्चात् । तदुक्तमिति । नारदेनेति शेषः । प्राक्कयात् । गुणेति । गुणदोषाभ्याम् । सार्वविभक्तिकस्तिसः । परीक्षाभिमतमिति । परीक्षया अभिमतानि- त्यर्थः । परीक्ष्याभिमतमिति पाठान्तरम् । पुनः पश्चात् ॥ १७७॥

# याज्ञवल्कीये १७८ व्लोकः।

यद्यपि बीजाय इति बीजादिक्रमेण मूले परिगणितं तथापि दोह्ये महिष्यादौ प्रतिसवनदोहनेन तत्परीक्षायाः पयोनिष्ठाल्पत्वमहत्त्वाभ्यां सुज्ञानत्वात्तत्प्राधान्येनाह । दोह्यादीति । परीक्षेति । तत्कालेत्यर्थः । इतरथा तन्न्यूनत्वे । अयं तात्पर्यार्थः । शतशब्दः प्रत्यासत्तेः पलपर इत्याह । शतपले इति । दिपलमिति बहुवीहिस्तदाह । पलद्वयमिति । प्राग्वदाह । शतपले इति । अनुवृत्तिरयेऽपि । पश्च दशेति पद्वयम् । तदाह । पश्च पलानीति । इत्येव तच्च पलपरमेव । १ । भताप्यमाने इत्यप्युभयत्र बोध्यम् ।

न्यूनतां परिहरति । कांस्यस्येति । 'कांस्ये त्विति ' पाठान्तरम् । अपुताम्रयोनित्वादिति बहुनीहिः । तद्नुसारेण तद्भागानुसारेण । क्रचित् तथैव पाठः । एवं पित्तलेऽपि बोध्यम् । तात्पर्यार्थमञाह । अतोऽधिकामिति ॥ १७८ ॥

# याज्ञवल्कीये १७९ श्लोकः।

कचित् कम्बलादाविप, न सर्वत्र, किं तु कचित्, वृद्धिमाहेति पाठः। सूक्ष्मे वक्ष्यमाणत्वादाह। स्थूलेनेति। और्णे शतपले कम्बलादाविति तु मूलार्थः। निर्मिते इति। रोपेषेतोः पाचाम् १ (ब्या.सू. ४।२।१२३) इति तुत्र् तत्रानेन सूचितः। स हि शैषिकः। शतपले दशपला वृद्धिरित्यर्थः। दशपलेति बहुनीहिरेव। मध्ये इति तृतीयपाद्मतीकम्, अत एवाह। अनितसूक्ष्मेति। पटादा- २० विति। यद्यप्यौर्णे इत्यादिना कम्बलादितया ग्रहणं कृतं तथापि पटादावित्युक्तिः प्रतिलोमाभिप्रायेति नानुपपत्तिरिति भावः। शते इति बोध्यम्। सुस्क्ष्मेति। अतिस्क्ष्मेत्यर्थः। अप्रक्षालितेति । तथा च पक्षालिते नेयमेव वृद्धिरिति भावः॥ १७९॥

#### याज्ञवल्कीये १८० श्लोकः।

विशेषमिति । क्षयमुभयाभावं च स्थलविशेषेणेत्यर्थः । कार्मिकमित्यस्य व्याख्या कर्म- १५ णिति । चित्रं सूत्रम् । अत एव तस्यापि व्याख्या यत्रेति । मेचकं मयूरपिच्छनेत्रम् । तत्र अधि- करणे घत्रित्याह । यत्रेति । प्रावार उत्तरासङ्गः । " द्वौ प्रावारोत्तरासङ्गौ समौ" इत्यमरः । (२।६।११७) तत्र उभयत्रापि । त्रिंशच्छव्दो भागपर इत्याह । त्रिंशत्तम इति । तात्पर्यार्थमाह । किंत्विति ॥ १८०॥

# याज्ञवल्कीये १८१ श्लोकः।

उत्तरसंगतिमाह । द्रव्यानन्त्यादिति । क्षयवृद्धीति । धर्मादित्वात्साधुत्वम् । एवमग्रेऽपि । अत एव वृद्धिक्षयेत्यिश्रमिविरोधो नेति बोध्यम् । उक्तभिजविषयमेवास्य साफल्यायाह । शाणेत्यादि । शणसूत्रनिर्मितम् । श्रुमा अतसी तत्सूत्रनिर्मितम् । 'नष्टे' इति मूलार्थमाह । तस्मिति । सर्वथा नाशो ऽत्र नाभिमतः प्रकरणादिति भावः । तथा किं च तद्दत् वा प्रत्यासत्तेराह । नष्टक्रव्यस्येति ।

तत्र तत्त्वविवक्षया सप्तमीति भावः । एकश्वो व्युक्तमे इत्याह । सारासारतां चेति । ज्ञात्वेत्यस्य व्याख्या परीक्ष्येति । तुर्यपादार्थमाह । यदिति । दाप्यमित्यस्य शिल्पिकद्म्बकमिति विशेष्यस् । त्वाह । शिल्पिकद्म्बकमिति विशेष्यस् ।

#### इति क्रीतानुरायप्रकरणम् ।

# अभ्युपेत्याग्रुश्वापकरणम् ॥ १४ ॥

साम्प्रतमिति । गृहीतादानद्ण्डपसङ्गेनोति भावः । अपरमिति । तेषामाद्यमित्यादौ
मनुनाऽपरिगणितत्वात्ततो भिन्नमेवेत्यर्थः । नारदीयं व्याचेष्टे । आज्ञाकरणमिति । प्रतिपद्यते इत्यस्यार्थमाह । सम्पाद्यतीति । मूले व्युक्तमेणान्वय इत्याह । अभ्युपेत्योति । शिष्यादिचतुणाँ सामान्यसंज्ञामाह । तेषामिति । मध्ये इत्यर्थः । कर्मकरा इति । कर्मणि भृताविति । १० (व्या. सू. ३।२।२२) टः । यद्यपि भृतके तत्त्वं सूत्रसिद्धं भृतावित्युक्तेस्तथापि साहचर्याद्नयेषामापि तत्त्वं बोध्यम् । वक्ष्यमाणानुरोधेन तेषां तत्त्वं योगक्षद्वयेत्याह । ते चेति । चत्वार इत्यर्थः ।

तदिदं सर्वम् । शास्त्रे पोक इत्यर्थः । चतुर्विधः आदितः । तेषां मध्ये । त्रिपः इचका इति । त्रिः पञ्चेति त्रिपञ्च ते परिमाणं येषां ते । सुजर्थे समासः । तद्धितः कन् । तद्वे विशद्यति । शिष्यान्तेवासीति । सामान्यमिति । एषां शिष्यादीनां पञ्चानां मध्ये । १५ अस्वतन्त्रतं नाम सामान्यं साधारणधर्म इत्येवं मनीषिणो महर्षय आहुरित्यर्थः । जातीति । तेषां पञ्चानां मध्ये शिष्यादिरूपचतुर्विधसमुद्ययस्य जात्या स्वस्वजात्यनुरूपं शुभमिति यावत् ताहशं कर्म कुर्वतस्तु कर्मकर इत्येवंरूपोऽवान्तरविशेषो मनीषिभिक्तः इत्यर्थः । कर्मकरत्वं चतुर्णामप्यवान्तरजानितिरत्यर्थः । वृत्तिरेव चेति । विशेष इत्यनुवर्तते । तथा वृत्तिर्वर्तनमपि शुभकर्मकरत्वेन विशेषो विशिष्टं, शुभकर्मकरत्वे विशिष्टा वृत्तिरित्यर्थः । अत एव चसंगितिः ।

- २० उक्तमेव विविच्याह । कर्मापीति । कर्मकृतां चतुर्णाम् । तत्राश्चभगाह । गृहद्वारैत्यादि । अत्र इंदोत्तरपद्कसमाहारदंदस्य शोधनेन षष्ठीसमासः । उत्तरार्द्धे पत्येकमितरेतरदंदद्वयगर्भेन्तरेतरद्वद्वयगर्भेन्तरेतरद्वद्वप्तर्मेन्तरेतरद्वद्वप्तर्मेन्तरेतरद्वद्वप्तर्मेन्तरेतरद्वद्वप्तर्मेन्तरेतरद्वद्वप्तर्मेन्तरेतरद्वद्वप्तर्मेन्तरेपद्कषष्ठीसमासोत्तरपद्कसमाहारद्वन्दः । अत्रे यथासंख्यमन्वयः । इच्छत इति । इच्छतः स्वामिनः स्वाङ्गैरन्ततः पर्यन्ते उपस्थानं सेवनं चेत्यर्थः । शुभिमिति । अतोऽन्यत् यत् तत् परं केवलं उत्कृष्टं वा शुभिमित्यर्थः ।
- २५ शिष्यान्तेवासीत्यादिनारदवचनांशं विशिष्य व्याचष्टे । तत्रेति । तेषां मध्ये इत्यर्थः । वेद्य-हणं शास्त्रस्याप्युपलक्षणम् । शिल्पं कौशलम् । अधिष्ठाता नियन्ता ।

अशुचीत्यादि तथैव व्याचष्टे। अशुचीति । शिष्याद्यदिष्टानां मध्ये भृतकत्रैविध्यमाह । भृतक ) इति । अत्र एषां मध्ये । तद्वक्तमिति । नारदेनेति शेषः । अत्रेति माग्वत् । आयुधजीवी आयुधीयः । भारवाहीति । तद्वहनशीलः । भारवाह इति पाठान्तरम् ।

३० दासास्त्रिपञ्चकाः दासास्तु गृहजाद्यः इत्युक्तं, तत्प्रपञ्चयति--

दासाः पुनरिति । दासास्तित्यर्थः । उच्यन्ते इति शेषः । तानेव नारदोत्तया आह । गृहजात इत्यादि । क्रमेण व्याचष्टे । गृहे इत्यादि । तत्र पत्नीपरगृहशब्द्स्य छक्ष्यार्थमाह । दास्यामिति । तहदित्यनेन किंचिच्यूनता सूचिता । अनाकाले इत्यस्यार्थी हुर्मिक्षे इति ।

भृत इत्यस्य रिक्षित इति । आधितामिति । अन्यत्रेति भावः । अहं स्याम् । विभाज्यति । प्रिरोशिषप्रित्वेत्यर्थः । स्वयमिति । स्वयमेवागत इत्यर्थः । प्रव्रक्त्या संन्यासः । त्वं दास इति पाठे अहं तव दास इत्यर्थनामे इत्यन्युपगत इति । पाठः । त्वहास इति पाठे अहं तव दास इत्यर्थनामे इत्यन्युपगत इति । पाठः । एतावन्तं कालमहं तव दास इत्यङ्गीकारित इति मदनरत्नेऽप्येवमुक्तम् । भक्तमन्तम् । । एतावन्तं कालमहं तव दास इत्यङ्गीकारित इति मदनरत्नेऽप्येवमुक्तम् । भक्तमन्तम् । । एतोवनन्तं ।

मनु विरोधमनुवद्ति । यस्विति । मानवे भक्त्वासः गृहजः क्रीतश्च प्रागुक्त एव । पैतृकः पितृरागतः । सोऽपि दायादुपगत एव । दिन्नमोऽपि कृत एव । ध्वजाहृतः ध्वजेन तद्दता युद्धे। नाहृत इति सोऽपि युद्धपाप्त एव । प्रवण्यातश्चयुतस्य प्रायश्चित्तमकुर्वतः पुंसो दण्डार्थमेवामरणाद्दास्यं । राज्ञो भवतीति दण्डदासः प्रवण्याविति एवति बोध्यम् । दासेति । अयं धर्मपरः । दासत्वाश्चया दासा इति यावत् ।

परिहरति । तदिति । तथा च सप्तग्रहणं न्यूनसंख्याच्यवच्छेदार्थं, न तु परिगणितभिन्ननिषेधार्थम् ।
तदाह । न त परीति ।

एवं प्रकरणोपोद्यातत्वेन स्मृत्यन्तरोक्तमुक्त्वा मूलविषयं विवेचयितुं तद्वतारियतुं चाह । हिम्मिटित्यादि । तत्र तथा सित । अधिकर्मकुन्द्रृतकानामिति । अभ्यहितत्वात्पूर्वनिपातः । भृतकवैविष्यात् बहुवचनम् । वृत्तिरित्यनुषज्यते ।

मूलमवतारयति । दासान्तेवासीति ।

# याज्ञवल्कीये १८२ श्लोकः।

अपिशब्दादिति । चौरैरित्यनुवर्तते । चौरैरपहृत्याहितो दत्तश्चेत्यर्थः । चः सर्वसमुचये हृत्याह । दन्तश्चेति । सः सर्वविधः । अत एव स्वाम्याहितादिविषये पृथगाह । यदीति । बलादि-नेति भावः । 'उक्तं चेति ' चो हार्थे । चौरेणापहृताः सन्तो विक्रीता इत्यर्थः । हि यतः दास्यं, २० तदेव ।

उत्तरार्धेकदेशं व्याचष्टे । चौरेति । उत्तरसंगतये आह । तिदृद्मिति । मूलोकं स्वामि-प्राणरक्षकत्वमित्यर्थः । यो वैषामिति । एषां दासानां पञ्चद्शानां मध्ये य एव कश्चिदित्यर्थः । न केवलं तावन्मात्रं किं त्वन्यद्पीत्याह । पुत्रभागमिति । तद्धागसदृशभागमित्यर्थः ।

नन्वेवं भक्तत्यागादित्यादि निष्फलम् । अत आह । भक्तिति । आदिशब्दः प्रकारे । तेषां २५ केषां विदित्यर्थः । अत एवोक्तकमेणाह । अनाकालेति । भक्त्यागो भुक्तिदिनादारम्य न विव-श्चितस्तस्य तत्राहेतुत्वाद्त आह । दासभावादिति । तस्य धनस्य । निःशब्दार्थमाह । सन्द्र-द्विकस्येति । सामान्यार्थस्य प्रकरणात्कीधातोविंशेषपरत्वमित्याह । प्रत्यपेणादिति । विशेषो ऽपीति । अनाकालभृतांशमात्रे इति भावः । संभक्षितमिति । दुर्भिक्षे यत् संभक्षितं तत् कर्मणा न ग्रुध्येतेत्यर्थः । यदीयमुपभुकं तदीयव्यापारकरणमात्रेण ग्रुद्धिनं, दास्यान निर्मुक्तिः, किं तु तत्कर्म- ३० करणेन गोद्दयदानेन च ग्रुद्धिरिति यावत् । अयमेव मूलतो विशेष इति बोध्यम् ।

भक्तस्येति । प्रागुक्त एवार्थः । सद्यः तत्कालमेव, न तु पूर्ववद्न्यदानापेक्षेति भावः । धनं सोद्यमित्यस्यापकर्षः । प्रमुच्यते इत्यस्यानुषङ्गः । स्वामी यथेव नोद्धरेदिति पाठः । यदि स्वामी नेवोद्धरेत्तदाऽऽहितोऽपि सोद्यं धनं द्त्त्वा दास्यात्ममुच्यते इत्यर्थः । यथेनमुद्धरेदिति पाठे तत्र तत्संमति विना नेव मुक्तिरिति बोध्यम् । ऋणदासे आह । ऋणं त्विति ।

न्ह्योकः १८३।

तथा किं च । क्रमेणाह तबाहिमत्यादि । हतानां च, तेषामपि । तेनेब नारदेनेव । प्रतिनिधिः प्रतिशिषिपदार्थः । तुल्यं कर्म यस्य देयसाम्येन, तुल्यव्यापारेण पुरुषान्तर-दानेनेत्यर्थः । कर्मणा स्वतुल्यपुरुषान्तरं दत्त्वा मुच्चेरान्निति यावत् । निग्रहादित्यस्यार्थमाह । दासेन सहिति । वहवाया इति शेषः । दासीस्वामिक्टतादिति भावः । प्रागुक्तफिलतं प्रागुक्तमेवोपसंहरनाह । तदेविमिति । तस्मादुक्तपकारेणेत्यर्थः । क्रमेणाह । गृहेति । स्वामिप्राणपद्त्वसुपलक्षणमित्याह । तत्यसादृति । स्वामिप्राणपद्त्वस्य साक्षान्मोचने कारणत्वाभावादाह । तदिति । तेन यस्तत्यसाद इत्यर्थः ।

तन्मोचने विधिमाह । दासेति । अनेन वश्यमाणेन । स्वं स्वीयस् । तस्य दासस्य । स्कन्धात् सज्ञ कुम्भमादायासौ स्वामी भिन्धाज्ञूमावित्यर्थः । त्रिरिति पूर्वान्विय । तेनेव नारदेनेव। १० यत इति शेषः ॥ १८२ ॥

# याज्ञवल्कीये १८३ श्लोकः।

अवशिष्टगतिमाह । प्रव्रज्योत । तुर्वैलक्षण्ये । एवं साति प्रायश्चित्तविध्यानर्थक्यापत्तेराह । अनस्युपगतेति । तथा सति तु पुनस्तस्य प्रवज्येवैति भावः । एवेनान्यव्यवच्छेदः । अवतरणार्थमेव प्रतिपाद्यन् आमरणेत्यस्यार्थमाह । मरणमेवेति । अन्तो मोक्षः । अन्तरा मध्ये जीवनदशा- १५ गम् । प्रतिमोक्षः तत्प्रतिपक्षभूतो मोक्षः । एतेन आ समन्तात् मरणमेवान्तो यस्य स एव तथेति विनयौद्तितात्स्वार्थे उगिति सूचितम् ।

( उत्तरार्धः )

दासभावः दासत्वम् । प्रतिलोमशब्दो धर्मपरस्तृतीयान्ताचिसिरत्याह । न प्रातिलोम्ये-नेति । नन्वेवं अस्योक्तमूलविरोधोऽत आहं । स्वधर्मेति । पुनः तु । निषेधशेषमाह । स्वधर्मेति । २० एवं निषेधमुक्त्वा विधिमाह । दारविद्गिति । यथाऽऽनुलोम्येनैव विवाहो न प्रातिलोम्ये न तथा दासत्वमपीत्यर्थः ॥ १८४ ॥

#### याज्ञवल्कीये १८४ श्लोकः।

अन्तेवासिधर्मानाहेति । एवं दासे धर्मानुक्त्वेत्यादिः । कृतकालामिति । तिहरोषणार्थं पूर्वरोषमाह । यद्यपीति । सर्वशिल्पमहे कालाद्यभावादाह । अपेक्षितिति । तत्र मकारिजज्ञासामाह । १५ कथिमिति । फलं भृतिम । स्वशिल्पमिति । बान्धवानां भ्रात्रादीनाम् अनुज्ञया आज्ञया स्वं स्वजातिविहितं शिल्पं महीतुमित्याद्यर्थः । अन्ते अन्तिके ।

एवं तद्धर्ममुक्त्वाऽऽचार्यधर्ममाह । आचार्य इति । पुनस्तद्धर्ममाह । शिक्षयन्तमिति । खलादिति । तद्वान्धवै राज्ञा वेति भावः । अत एवाह । वधित । शिक्षितोऽपीति । इतकाला- त्यागिति भावः । समाप्नुयादिति । तनिकटे समापयेदित्यर्थः । तत्र तद्गृहे । समये अतीते । सति । प्रदक्षिणं सप्रदक्षिणम् । अर्श आद्यजन्तम्। यथाश्रुतं वा । आचार्यपदक्षिणामिति पाठा-त्तरम् । 'शक्तितश्चानुमान्यैनमिति' पाठः । एनं आचार्यम् यथाशक्ति अनुमान्य तोषयित्वा स्वगृहं पति परावत्यांगच्छतीत्यर्थः । ताडनेति । दण्डादिकृतेत्यर्थः । १८४॥

इत्यभ्युपेत्याञ्चश्रूषाख्यं विवादपदम् ।

# संविद्यतिक्रमप्रकरणः ॥ १५॥

# यारहाद्यांटे १८५ श्लोकः।

संप्रतीति । अङ्गीकारत्यागस्य पूर्वत्र सत्तेन तत्यसङ्गादिति भावः । 'नैगमादीति ' आदिना क्रेण्यादिनैविद्याद्योर्ग्रहणम् । अस्यार्थमाह । पारिमाषिकधर्मेणिति । धर्मशास्त्रपरिभाषां कृत्वेत्यर्थः । एतेन तत्रत्यस्थितिशब्दो विशेषपर इति सूचितम् । तस्याप्यर्थमाह । परिपास्नमिति । यद्यपि तच्छब्दस्य प्रत्मन्तपरामशित्वात्परिपास्त्रनस्यैव विवाद्पद्त्वं प्राप्नोति तथापि बाधात्तद्तंभवः । कर्मेत्यन्तेनान्वयमुखेन संविद्ध तिक्रमास्थविवाद्पद्स्य प्रतिपक्षभूतमुक्त्वा तदिवाद्पद् स्मृतमित्युक्तं तद्राह । तद्यितिकम्यमाणमिति । मूलमवतारयति । तद्यपकमार्थमिति । प्रत्यासत्तेराह । स्वेति । नपुंनस्वतोपपत्तये बहुवचनलब्धं तत्पद्गर्थमाह । ब्राह्मणव्यातमिति । त्रैवियत्वादेरन्यतः सिद्धौ राजनिय्योज्यत्वासंभवादाह । कृत्वेति । शेषोऽयं कृत्वा चेत्पर्थः । अत एव बृहस्पितिः

" वेद्विद्याविदो विमान् श्रोत्रियानिमहोत्रिणः । आह्नय स्थापयेत्तत्र तेषां वृत्तिं प्रकल्पयेत् ॥ " अनाच्छेद्यकरास्तेभ्यः प्रदेया गृहभूमयः । '' इति । स्वशब्दार्थमाह । वर्णोति । बहुवीहिः । धर्मशब्दार्थमाह । श्रुतीति ॥ १८५ ॥

# यार्डाव्यांद्रे १८६ श्लोकः ।

तेः ब्राह्मणेः । निजेत्यस्यार्थः । श्रौतेति । वर्णाश्रमनिमित्तकेत्यादिः । समयात् पारिभा- १५ विकथर्मेण व्यवस्थानात् । सोऽपीति अपिना निजधर्मसमुचयः । एवमग्रेऽपि । तथा तहत् । धर्म हिते । कृत इति शेषः । यावत्यथिकामिति वीप्सायामव्ययीभावः ॥ १८६ ॥

## याज्ञवल्कीये १८७ श्लोकः।

समयधर्मः सोऽपि । 'तद्तिक्रमादाविति ' आदिना गणद्रव्यहरणग्रहणः । पुनः तुं। आदिना देशः । अत एवाह । साधारणिमिति । दण्डवाहुल्यादाह । अयं चेति । २० अनुबन्धो दोषः । अपराध इति यावत् । आदिना जात्यादिपरिग्रहः । एवमग्रेऽपि । प्रामदेशशब्दौ तत्स्थजनबोधकौ जघन्यवृत्त्या । संघो विणगादिसगृहः । इदमस्माभिः कार्यै परिहार्यं वेत्येवंरूपं संकेतं सत्यादिशपथेन कृत्वा तन्मध्ये यो नरो लोभादिनाऽतिकामेदित्याद्यर्थः ।

पक्षान्तराण्याह । निगृद्धोति । निनध्येत्यर्थः । समयव्यभिचारिणं संविद्द्यतिकमकारिणम् । चतुःसुवर्णमि'त्यादि समाहारिद्द्यः । चतुःसुवर्णानिति ' पाठान्तरम् । राजतं शतमानं २५
च विशत्यधिकरिक्तकाशतत्रयपरिमितं रजतम् । निर्वासनिति । सर्वस्वहरणाद्यभावात् केवलनिर्वासनेत्यर्थः । निष्कं सुवर्णाश्चत्वारः । सुवर्णं कर्षमितम् । शतमानिति । राजतेत्यादिः । इदं
त्रयं विषयलाघवगौरवापेक्षया व्यस्तं समस्तं वेति तु तद्धाख्यातारः ॥ १८७ ॥

# याज्ञवल्कीये १८८ क्लोकः।

इदं च इदमपि । तैः ब्राह्मणैः । गणिनां समूहिनाम् । एवमभेऽपि । सर्वेरित्यस्य प्रकृ- ३० तार्थमाह । इतरैरिति । अनतिप्रसंगायाह । गणान्तर्गतैरिति । अन्यवचनस्य अन्यकर्तृककरणा- संभवादाह । अ- सरणीयमि।ते ।

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#### ी 🔑 ी ( इत्तरार्घः ) .....

अन्यथा तद्ननुसरणे । तत्रेत्यस्यार्थो गणिनामिति । विपरीत इत्यस्यार्थः समूहेति। मित्वन्धेति । प्रतिषेधेति पाठान्तरम् । राह्मेति । स इति मौल एवादिः । यच्छब्दोपादानेन तस्यार्थसिद्धत्वात्तु तद्गुकिरिति भावः । दुममित्यस्यार्थः साहससिति ॥ १८८ ॥

#### याज्ञवल्कीये १८९ श्लोकः।

मुले समूहकार्ये इति सतिसप्तमी । तया च निमित्तर्व फलति । कार्यशब्द्श्य तिकव्यतिपरः । तदाह । समूहकार्यनिर्वृत्त्यर्थमिति । तेनोभयथाऽर्थान्तरनिरासः । प्रकृतत्वादाह । स्वेति । क्वते-त्यस्यार्थो निर्वितितेति । मानोऽभ्युत्थानादिकृतः । सत्कारोऽर्घ्यपादादिकृतः । स महीपतिरित्यन्वय इत्याह । स राजेति । पूजियत्वेत्यस्य तात्पर्यार्थे मुख्याभावादाह । परितोष्येति ॥ १८९ ॥

### याज्ञवल्क ये १९० श्लोकः।

समूहेति । समूहाय दत्तस्यापहारिणं मध्यस्थामित्यर्थः । समूहकार्याय पहित इति सुप्सुपोति समास इत्याह । समूहकार्यार्थिमिति । तनिष्पत्यर्थिमित्यर्थः । प्रत्यासत्तेराह । महाजनैरिति । एवमग्रेऽपि । लिङ्थों न विवक्षित इत्याह । लभते इति । विधिफलमाह । अप्रार्थित एवोति । अत एवामे स्वयमित्युक्तम् ।

तुर्यपादार्थमाह । अन्यथेति । सार्काक्षत्वादाह । छच्चादिति । एकाद्शागुणम् एकाद्श-💯 भागम् । अपराधस्याल्पत्वात् ॥ १९० ॥

#### गाइदान्त्रीये १९१ श्लोकः।

पविमाति । वक्ष्यमाणेत्यर्थः । चस्त्वर्थे न्युक्कमे च । विनिगमनाविरहादाह । श्रौतेति । एव-मग्रेऽपि । धर्मेळुब्धत्वस्य गुणत्वादाह । अर्थेष्विति । चिन्तनमात्रस्यानुपयोगादाह । विचारका २॰ इति । भनेयुरित्यत्र ण्यर्थान्तर्भाव इत्याह । कर्तृच्या इति । अत एवावतरणमपि सङ्गच्छते । तेषा-मिति सम्हत्याबादिः । प्रत्यासत्तेराह । इतरौरिति । उकार्थे पौनक्त्यं परिहरति । आदरेति ॥१९१॥

# गाइदाद्यारे १९२ खोकः।

इदानीं तदनन्तरम् । एकाम्यां पण्याशिल्पाभ्यामित्यर्थः । गारुप्रकाद्द्रः इति । तन्त्राध्ययनपूर्वकानुष्ठातार इत्यर्थः । 'आदिना ' पाञ्चरात्राद्यध्येतारः नैयायिकाद्यश्च । नग्नाटः २५ दिगम्बरः । आयुधीयादीति । आयुधजीव्याधीनामित्यर्थः । साधारणमाह । एकेति । " समानकर्म-कराः कारवः श्रेणग्रः, नानापौरसमूहा नैग्रमाः, प्रवज्यावसिताः पाषण्डिनः, गणी ब्राह्मणसमूह " इति कल्पतरः।

एवं पदार्थानुक्ता वाक्यार्थमाह । एवामिति । उत्तरार्थार्थमाह । एवां चेति । प्रसिद्धार्थासंभ-बात्यकृतार्थमाह । धर्मेति । पूर्वीपात्तां पूर्वदृताम् । अत एव नाएदः (अ. १० इलो. २।३ )

" पाषण्डिनैगमञ्रोणिपूगवातगणादिषु । संरक्षेत्समयं राजा दुर्गे जनपदे तथा ॥ ş o

" यो धर्मः कर्म यज्ञैषामुपस्थानविधिश्व यः। यत्तेषां वृत्त्युपादानमनुमन्येत तत्तथा ? इति ॥१९२॥ च्छा नाम विकास । विकास विकास में इति संविद्यातिकम्पमकरणः विकास विकास

enverigiere avantere i <u>Salajanta, i i radicāli</u> valdālija.

# वतनादानप्रकरणः ॥ १६ ॥ वस्ति । वस्ति ।

संप्रतीति । तत्पसङ्गादेवेति भावः । भृतानां भृत्यानाम् । कवित्तथैव पाठः । दानादानयो-विधी तयोः कम इत्यर्थः । पूर्वे नोक्तोऽस्यैनारम्भे उक्तत्वात् अत आह । **बक्ष्यमाणेति ।** अत्रैन विति भावः । तदुक्तेः शेषमाह । यत्रेति ।

### याज्ञवल्कीये १९३ श्लोकः।

एवं स्ट्रायन्तरी कलक्षणके तत्र विवादे निर्णयपदर्शको मूलकृदिति मूलमनतारयति । तत्रेति । उक्तास्यविवादपदे इत्यर्थः । आवहेदित्यस्यार्थो द्यादिति । वृतीयपादार्थमाह । यदेति । ' सर्व वाक्यमिति ' न्यायेनाह । अगृहति एवेति । तत्फलमाह । न द्विगुणमिति । अत्रैव विषये पक्षान्तरमाह । यद्वाऽङ्गीति । असममिति छेदः, तस्य बलादित्यर्थो, दाप्य इत्यस्य दत्ता कार-णीय इत्यर्थ इति भावः । प्रतिश्रत्याङ्गीकृत्येतिपूर्वान्वयि । कार्यः कारणीयः । तेनैव, नारवेनैव । १० वृत्यपादेनेति भावः । भृतायेति । भृताय भृत्यायादिमध्यावसानेषु यथाक्रममित्किकक्रममनितिकम्य उक्तसमयमैच्छिकमनातिकम्येति यावत् । तेन क्रमेण वेतनं दत्त्वा कर्म कारयेदिति शेषः । वेतन-स्वस्पमाह । कर्मण इति । कर्मणोऽनुसारेण यत् मध्यस्थैविनिश्चितं कल्पितं द्व्यं तदेतनिमत्यर्थः । तथा वानेन भृतिस्वस्पमप्युक्तम् । तुर्थपादार्थमाह । तैश्चोति । उपकरणं तत्तत्कर्मयोग्यसामग्री । तत्र तां कृषावाह । लाङ्कलादीनामिति । प्रग्रहो रज्जः । योक्त्रं केशादिनिर्मितम् । विधिसार्थ- १५ व्यायाह । इतर्थोति । तदरक्षणे इत्यर्थः ॥ १९३ ॥

#### याज्ञवल्कीये १९४ क्लोकः।

द्वारिक्टिं अनिश्चित्य । यः स्वामी । सः वाणिज्यादिभेदाित्रविष इत्याह । विणिगि-त्यादि । लिङ्थोंऽविवक्षित इत्याह । कारयतीित । सः त्रिविधः स्वामी । तस्य साकांक्ष-त्वादाह । तस्मादिति । वाणिज्यं च पशुश्च सस्यं चेति समाहारद्वंद्वात्यश्चम्यन्तात्सार्वविभक्तिकस्त- २० सिरित्याह । वाणिज्येति । पशुसस्यशब्दौ तत्कर्मीपलक्षकावित्याह । कर्मण इति । यद्वब्धं तस्य इत्यनेनासंबद्धत्वं मुळे निरस्तम् ॥ १९४॥

#### याज्ञवल्कीये १९५ इल्लोकः ।

अनाज्ञातकारिणं आज्ञामुखंषयकारिणं भृत्यम् । कालं चेत्यस्य दर्पादिनोछंषयेदित्यषान्वयः । किंभूतोऽत आह । पण्येति । तत्रैवेत्यादिः । आदिना कयः । उत्तरत्रादिनाऽऽल- २५
स्यादिः । अतीयादित्यस्यार्थं उल्लंखयोदिति । दितीयपादार्थमाह । तस्मिन्नेवेति । कुर्याचेति
षो वार्थ इत्याह । वेति । पाग्वदाह । करोतीति । तत्रेत्यावर्थमाह । तस्मिन्नित्यादि ।
तत्कलमाह । न पुनरिति । न त्वित्यर्थः । तुर्यपादार्थमाह । यदेति । स्वामितोऽपीति
भावः ॥ १९५॥

#### याज्ञवल्कीये १९६ श्लोकः।

अनेकभृत्येति । दिप्रभृतिभिर्मिलित्वेतत्कर्मेतावत्याः भृत्या क्रियते इति गरिभाष्य क्रियमाणे कर्मणीत्यर्थः । पाद्त्रयस्यकोऽर्थ इत्याह । यदा पुनिस्ति । आदाव तेकभृत्यसाध्यकमस्त्रक्षमाहः।

पक्तभे ति । अभ्योरप्यसाध्यं चेदित्यस्यार्थमाह । व्याध्याद्यसिभवादिति । अन्यथाऽङ्गीकार-स्येवासंभवापत्तेरिति भावः । तस्येति शेषे षष्ठीत्याह । तस्मा इति । वेतनस्वरूपस्य पूर्वमुकत्वात्तद्वर्त्योधेन तावत्यदार्थमाह । तत्कृतिति । तत्फलमाह । न पुनिरिति । एकस्मिन्कर्मणि पञ्चभिः कर्मकरैर्द्शिभिः पणैर्भृत्या क्रियमाणे व्याध्यादिना चाशकैः सर्वैरिपि तत्कर्म न निष्पादितं किं तु कियदेव, तत्र प्रतिपुरुषं पणद्यं विभज्य साम्येन न देयम् अपि तु तत्तत्कर्मानुसारेण न्यूनाधिकं देयमित्यर्थः । एतेन तत्कर्मणि निष्पन्ने पूर्णे परिभाषितवेतनमपरिभाषितं स्वामिद्तं कर्मकरा अपि स्वकृतव्यापारानुरोधेनैव विभज्य मृह्नीयुरिति स्वितम् ।

नतु न पुनः समित्युक्त्या तत्कृतकर्मानुसारेण वेतनदानप्राप्त्याऽवयवशो विभज्य देयमिति लब्धं, तचनुपपनम् । कर्मणि समुदितनियतवेतनस्यैव परिभाषितत्वेन पृथक् पृथक् तद्नुक्त्या परि-१० भाषानुसारेण तत्र वेतनादानस्यैवौचित्यात् । अत आह । न चेति । नापीत्यर्थः । यद्यपि विभज्य दानमपरिभाषितं तथापि व्याध्यादिना तद्समाप्तेस्तत्र दोषाभावेन कर्मानुसारेण दातुमुचितमेवेति भावः। तुर्यपादार्थमाह । साध्ये त्विति । अस्यार्थमाह । उभाभ्यामिति । उभाभ्यामित्युपलक्षणं, बहुभिरित्यपि बोध्यम् । यथाश्रुतमित्यस्य व्याख्या यावदिति । पाग्वदाह । न पुनरिति ॥१९६॥

# याज्ञवल्कीये १९७ श्लोकः।

- १५ अन्युप्येत्याञ्चश्रूषाख्ये विवाद्पदे ' शुश्रूषकः पश्चविधः ' इत्युपकम्य ' चतुर्विधः कर्मकरः ' इत्यादिना तस्य तत्त्वमुक्त्वा भृतकत्रैविध्यं दिशितम् ' उत्तमस्त्वायुधीयोऽत्रे 'त्यनेन । तत्र 'गृहीत- वेतनः कर्मे' त्यनेनात्र कृषीवलभृतकवेतनविषये उक्तम् । अत एव तुर्यपादस्तत्र तथैव व्याख्यातः । सांप्रतमायुधीयभारवाहकभृतकौ प्रति विशेषं दर्शयतीत्याह । आयुधीयोति । यद्यप्यमे वचने व्युत्कम- स्तथापि पूर्वक्रमेण पूर्वनिपातिनयमेन वक्ष्यमाणाशयेन चैवमुक्तम् । भाण्डं पात्रादिकम् ।
- १० ''सर्वमावपनं भाण्डं पाञामञ्जं च भाजनम् ''। इत्यमरः । (२।९।३३) 'स्याद्धाण्डमञ्वाभरणेऽमञे मूळे वणिग्धने' इति स एव (३।३।४३)नानार्थप्रकरणे।

तत् । ताहशं भाण्डम् । वाहकेनेत्युपलक्षणमायुधीयस्यापि । मूले नष्टमित्यञ्चान्तर्भावितो ण्यर्थ इत्याह । नाशितमिति । नाशानुसारेणेत्यञ्च मानमाह । तदाहेति । व्यसनं । नाशम् । दोषतः दोषेण इदिहीनत्वरूपेण । तत्र भाण्डे । अनेनोक्तार्थलाभः ।

२५ उत्तरार्द्धार्थमाह । यः पुनरिति । वासरे इति । तदानीं पस्थानलभवेलायाः । द्वैगुण्ये हेतुमाह । अत्यन्तोत्कर्षेति । विवाहादिहेतुभूतप्रस्थाननिरोधादित्यर्थः । एवं च स्वतो दोषाल्पत्वेऽपि परतो दोषबाहुल्यमिति भावः ॥ २९७ ॥

# यहाद्दर्भारे १९८ श्लोकः।

र्कि चेति । अत्रैवान्यद्प्याहेत्यर्थः । ' प्रकान्ते १ इत्यस्य प्रकृतत्वात्यस्थानमेव विशेष्यम् ।' ३० मध्ये वेति तद्र्यः । तदाह । प्रकान्ते इति । प्रत्यासक्तेग्रहः । भृतेरिति ।

स्वविरोधमेव स्वस्याह । नन्विति । अत्रैव, प्रस्थानविश्वकरणरूपे एव । तस्य सप्तमो भाग इत्यस्योच्यत इति शेषः । तद्वसरस्ततः पूर्वमेव । अत एवाध्यवसिते इति व्याख्यातं न तु कृते इति । प्रस्थानक्षप्रति । अत एव तत्र तथैव व्याख्यातम् । द्वितीयपादार्थमाह । यः पुनिरिति । प्रकान्ते इत्यनुवर्तते । मार्गे समाक्रान्ते इत्यर्थः । तत्फलित-माह । गमने इति । यदा पथि मार्गे प्रकान्ते इत्यत्र वर्तमाने क इति तद्र्थमाह । गमने इति ।

'त्याजकोऽपि चेति' व्याचष्टे । यस्तिवति । प्रत्यासत्तेशेवाह । पूर्वोक्तिति । त्रिष्वित्यर्थः । पत्रचेति । प्रस्थानविद्मकृदित्यारम्य यदुकं तत्सर्वमित्यर्थः । ननु एवं विषयविभागे किं मानम् प्र अत आह । भृत इति । यो भृतः भृतिपरिक्रीतः भृत्यः।तथा पाठ एव वा । अनार्त्तः व्याध्यादिरिह्तः द्र्पाद्हंकाराद्यथापरिभाषितं कर्म न कुर्यात्स कृष्णलानि अष्टौ द्ण्ड्यः । गुआपरिमितं सुवर्णं कृष्णलम् । कृष्णलानित्यपपाठः । यावत्कर्म कृतं तस्य वेतनं च न द्यमित्यर्थः। इतीत्यमे "अनार्ते मनुना सद्ण्डतद्दानविधानात्" इति शेषः । आदितः आदौ यथोकं तथा कुर्यात् । 'सुदीर्घस्येति' हेती शेषे षष्ठी । चिरकालाद्पत्यर्थः । अपगतिति । व्याध्यप्रमृष्टः पश्चाचिवृत्तव्याधिराद्यः । व्याध्य- १० संमृष्ट एव द्वितीयः । आदिना द्र्पप्रहणम् । वेतनिमिति । किंचिच्छेषकस्य कृतस्य कर्मण इत्यादिः । स्वस्थो वा । सुस्थो वेति पाठान्तरम् । तत् स्वारब्धेत्युपलक्षणं, न कुर्यादित्यपि बोध्यम् । अल्पेन कर्मणा न्यूनस्य कृतस्यापि कर्मणः वेतनं तस्य तस्मै न देयमित्यर्थः ॥ १९८ ॥

॥ इति वेतनादानप्रकणम् ॥

#### अथ द्यूतसमाह्रयप्रकरणम् ।। १७ ॥

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अधुनोति । महाप्रकरणसङ्गत्येति भावः । यूतं च समाह्वयश्च तावाख्ये यस्य विवादपदस्य तदित्यर्थः । करणभेदेऽपि तत्त्वरूपस्यैक्यादेकत्वेन निर्देशः । अप्राणिभिरक्षादिभिः साध्यं देवनं यूतं,
प्राणिभिः कुक्कुटादिभिः साध्यं देवनं समाह्वय इति विवेकः । तदेतद्वअयं नारदीयव्याख्यानेन
दर्शयति । अक्षा इत्यादिना । पाशक इत्यत्राल्पार्थे कन् । अत एवाग्रे । दीर्धिति । अध्नाख्यादेगे
दन्त्योष्ठयादिः । दन्तेति । गजदन्तादिविकारभूता इत्यर्थः । 'रथादिकमिति ' आदिनोष्ट्रा- २०
दिपरिग्रहः । मूळे 'देवनिग'त्यस्यैव व्याख्या । पणकीडेति । अत्र शाकपार्थिवादिसमास
इत्याह । पणपूर्विकेति । तदुभयमिति । जिह्नेन सभिकेन कारितमिति बोध्यम् । तत्र यूतेति
नामनामिनोरभेदः । तदाह । द्यूतेति । पद्मित्यस्यार्थो हिटादेति । एकवचनोपपत्तये आह ।
द्यूतं चेति । समाहारद्दन्द इति भावः । क्रियमाणः कीडाविशेषः ।

# याज्ञवल्कीये १९९ श्लोकः।

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प्वं स्मृत्यन्तरोक्तलक्षणके तत्र विवादपदे सभिकवृत्तिपद्र्शकं मूलमिति तद्वतारयिते । तत्रोति । उक्तपदे इत्यर्थः । संप्रतिपत्तिः संवादः । पण इति । न तु वराटकानामित्यादिलक्षित इति भावः । तदाश्रया ग्लहाश्रया । शतशब्दो न्यूनसंख्याया व्यवच्छेदको नाधिकसंख्याया इति तस्या अप्युपलक्षणमित्याह । तद्धिकेति । वक्ष्यमाणस्यात्रापि संबन्ध इत्याह । तस्मात् भूतीति । यत्र यूते शतेन तद्धिकेवीं काकिण्यादिभिः परिकल्पितं पणं जयित यः स जेता शतिकादिवृद्धः । ३० तस्मात् यूतकारात्तज्ञेतुः सभाधिकारी पश्च काकिण्यादीन् गृह्णीयादिति भावः । तदाह । जितग्लहस्येति । प्रागुक्तसभापितस्त्र नेति सूचयन् तद्धात्पित्तमाह । सभेति । न राजादिसभेति मावः ।

विद्यादीति उन् । फलितमाह । किल्पतिति । अक्षादिरूपाणि निखिलक्रीडाया उपकरणानि सामग्रीरूपाणि किल्पतानि सम्पादितानि येनेत्यर्थः । तत्र हेतुं सूचयनाह । तदुपचितेति । उत्तरार्धार्थमाह । इतरस्मादिति । अस्यैव व्याख्या अपिरपूर्णेति । अत एवायं कितव एव न तु धूर्त इति केचित् । वस्तुतोऽत्रापि तथैव पाठः ॥ १९९ ॥

### याज्ञवल्कीये २०० श्लोकः।

इत्यत आहेति पाठः । इत्याहोति पाठे इत्याशङ्कायामाहेत्यर्थः । कुत इत्याकाङ्कायामाह । राहोति । जितं यदिति । शब्दत इति भावः । यूतकारिणामिति शेषे षष्ठी । द्यादित्यस्या- नुषङ्कः ।

तृतीयपादार्थे संमतिमाह । तदुक्तिमिति । तत्कृतं कितवेन पणीकृतं दे्यं तत उद्घृत्य १० सभिको जेत्रे द्याचेत्यर्थः ॥ २०० ॥

# याज्ञवल्कीये २०१ श्लोकः।

ससभिके इत्यस्यार्थः सिमिकेति । धूर्तेत्यस्यार्थः कितवेति । प्राप्ते इत्यादिव्याख्या सिमिकेन चेति । मूले स्थाने इति अव्ययं युक्तमित्यर्थकं, तद्र्थमाह । अविप्रतिपन्नमिति । अर्थादाह । पणामिति । अन्यथेत्यनेनोक्तितयव्यातिरेक उच्यते इत्याहोक्तकमेण । प्रच्छन्ने १५ इत्यादि । जेत्रे इति । राजेति भावः ॥ २०१ ॥

### याज्ञवल्कीये २०२ श्लोकः।

प्रकृतत्वादाह । यूतेति । एतद्र्थमाह । सम्या इति । एवफलमाह । न तत्रेति । तिद्वि-षये इत्यर्थः । वाक्यान्तरमाह । साक्षिणश्चेति । त एवेत्यस्य संबन्धादाह । यूतकारा एवेति । प्राग्वदाह । न तत्रेति । तिद्वषये इत्यर्थः ।

# २॰ ( उत्तरार्घः )

कियत, न तु सर्वत्र । इटाक्षादिभिर्दीच्यतो दण्डविधानात्तादृशैरक्षादिभिर्देवनं निषिद्धम् । एवं सभिकराजाध्यक्षरिहतस्थलेऽपि देवनं निषिद्धमिति बोध्यम् । कूटैः सकपटैः । अक्षपद्मुपलक्षण-भित्याह । अक्षादिति । अक्षमालां पक्ताक्षादिमालाम् । सर्वज्ञानायेति भावः । हि यतः । सः कण्ठेऽक्षमालाबन्धपूर्वकविवासः । एषां इटाक्षदेविनाम् । विनयः शिक्षेत्यर्थः ।

२५ विरोधं परिहरति । **यानि चेति ।** 'क्कंटे 'त्युपलक्षणं 'उपधेः ' अपि । **राजेति** । अतं एव पूर्वं तथा प्रतिपादितम् ॥ २०२ ॥

# याज्ञवस्काये २०३ श्लोकः।

किं चेति । अन्यत्रापि तिषिषेदुं अन्यद्पि यूतविषये आहेत्यर्थः । मुखपदार्थः । प्रथानिमिति । विशिष्टतात्पर्यार्थमेवाह । राजाध्यक्षोति । कार्यतेऽनेनेति व्युत्पत्त्या कारणशब्दः ३० फलपरः, कर्मधारयः, त्यब्लोपे पञ्चमीत्याह । तस्करेति । अन्यथा कारणादित्यस्य वैयर्थ्यं स्पष्टमेव । तात्पर्यार्थमाह । प्रायश इति ।

अत एवं मतुः, (अ. ९ स्टो. २२१। २२२। २२५-२३०)

" यूतं समाह्रयं चैव राजा राष्ट्राभिषारयेत्। राज्यान्तकरणावेतौ द्वौ देखौ पृथिवीक्षिताम् ॥
" प्रकाशमेतत्तास्कर्यं यद्देवनसमाह्वयौ । तयोनित्यं प्रतीघाते नृपतिर्यत्ववान् भवेत् ॥
" कितवान्कुशीलान् चौरान् पाखण्डस्थांश्च मानवान् । विकर्मस्थान् शौण्डिकांश्च क्षिपं निर्वासयेत्पुरात् ॥
" एते राष्ट्रे वर्तमाना राज्ञः पच्छन्नतस्कराः । विकर्मिक्रियया नित्यं बाधन्ते भिद्रकाः प्रजाः ॥
" यूतमेतत्पुरा कल्पे दृष्टं वैरकरं महत् । तस्माद् यूतं न सेवेत हास्यार्थमपि द्विद्धमान् ॥
" प्रच्छनं वा प्रकाशं वा तिन्वेषेवेत यो नरः । तस्य दण्डिविकत्यः स्यायथेष्टं नृपतेस्तथा ॥
" क्षत्रविद्शुद्रयोनिस्तु दण्डं दातुमशक्नुवन् । आनृण्यं कर्मणा गच्छेदिपो द्याच्छनैः शनैः ॥
" श्रीबालोन्मत्तवृद्धानां दिद्राणामरोगिणाम् । शिक्षाविद्लरज्ज्वायैर्विद्ध्यान्नृपतिर्दमम् ॥ " इति ।
अस्य यूतत्वाभावाद्यक्ष्यार्थं तस्याह । निर्वत्त्ये इति ॥ २०३ ॥

इति यूतसमाह्वयाख्यं प्रकरण**म्** ।

#### अथ वाक्यारुष्यप्रकरणः ॥ १८ ॥

प्राग्वद्गह । इदानीमिति । जातिर्जाह्मणत्वादिः । कुळं वंशपरम्परा । नार्दीयं व्याच्छे । देशादीनामिति । अवद्यं गर्ह्मम् । पत्येकयुक्तत्वं न विवक्षितमित्याह । तदुभयेति । अर्थशब्दः प्रयोजनवाचीत्याह । उद्वेगोति । देशायाकोशानुदाहरणत आह । तत्रेति । तेषां मध्ये इत्यर्थः । देशाकोशाः देशनिन्दा । छोलुपः सतृष्णः । चित्तमाचरणम् । वैश्वामित्रास्तत्पुत्रास्तत्पुत्राद्यः । १५ स्विद्योति । साक्षात्पुरुषनिन्द्ममुक्तता तिन्द्राशयेनैव स्वयं विद्वानिप अविद्वानिव स्वीयविद्या-शिल्पादिनिन्द्या यत्र तिद्वयाविषयनैपुण्यमस्ति यत्र वा शिल्पविद्यायां परः कुशलस्तिद्वद्यजनाद्य- धिक्षेप इत्यर्थः ।

तस्य चेति । वाक्पारुष्यस्येत्यर्थः । त्रेविष्येऽन्वयः । तत्र चेति पाठान्तरम् । तद्गाऽव्यवहिता-न्वयः । द्ण्डेति । द्ण्डेविषभ्याभिधानार्थमित्यर्थः । निष्ठुरेति । तद्गूपसंज्ञाभेदेनेत्यर्थः । तह्नुक्षणं निष्ठु- २० रादिलक्षणमपि । तेनैव नारदेनैव । तद्गि वाक्पारुष्यमपि । तस्य त्रिविधस्य । निष्ठुराक्षेपाद्-श्लीलाक्षेपो गुरुः ततस्तीत्राक्षेपो गुरुरित्यर्थः । साक्षेपमित्यादि व्याचष्टे । तत्रेति । तेषां मध्ये इत्यर्थः । त्वामित्यस्य विशेषणद्वयम् । धिग्योगे द्वितीया । 'जाल्मोऽसमीक्ष्यकारी स्यात् ' (अमरः ३ । १ । १७ )।

ननु पूर्वं न्यङ्गमवद्यमित्युक्तम् । तचावद्यत्वं निष्टुरादिषु त्रिषु वाक्यारुष्यभेदेषु साधारणमिति २५ अत्राश्ठीलक्तपवाक्यारुष्यस्य न्यङ्गसंयुतमिति विशेषलक्षणकथनमयुक्तम् अत आह । अत्रेति । तथा चासम्यक्तपोऽवद्यविशेषो न्यङ्गशब्दार्थे इति भावः । तत्स्वक्तपमाह । भगिनीति । पतनीयैरित्यत्र. साकांक्षत्वाच्छेषमाह । युक्तमिति ।

## याज्ञवल्कीये २०४ श्लोकः।

अथ मूलमनतारयति । तत्रेति । तेषां मध्ये इत्यर्थः । असवर्णनिषये वक्ष्यमाणत्वादाह । ३० सवर्णिति । न्यूनाङ्कृत्यत्र इंद्रोत्तरपद्कबहुवीहिपूर्वपद्कदंद इत्याशयेनाह । न्यूनाङ्का इति । तस्य व्याख्या । करचरणादीति । न्यूनेन्द्रिया इत्यस्य व्याख्या । नेत्रेति । यथासंख्येन नान्वय इत्याह । तेषामिति । अन्यथेत्यादेर्व्याख्या । निन्दार्थेति । सत्यादिस्वक्ष्पमुदाहरणेन

वाक्यार्थमध्ये एवाकांक्षानिवृत्तये आह । यत्रेति । क्षेपार्थो । भर्त्सनिमिति । अर्थोऽधमे-ष्विति वक्ष्यमाणैकमूळकल्पनालाधवानुरोधेनार्धन्यूनास्त्रयोद्शोति मूळे समास इत्याशयेनाह । अर्धा-धिकत्वावृशेति ।

नन्वेवं मनुना कार्षापणादन्युनद्ण्डाभिधानात्तस्य च षोडशपणात्मकत्वात्तेन विरोध इत्याह । काणं वेति । खञ्जं पाद्विकलम् । अन्याङ्गाविकलम्प वा । तथ्येन सत्येनापि काणादिशब्देन । 'अपिना 'ऽसत्यादिसमुचयः । कार्षापणः अवरो यस्मिन्दण्डे स ताहशः अत्यन्ताल्पः कार्षापणो न तु ततो न्यून इत्यर्थः । तं परिहरति । तद्वितदुर्वृत्तेति । आचारादिभिरत्यन्तिनकृष्टसवर्णेत्यर्थः । तथा च ताहशसवर्णेन यदि सवर्ण एवाक्षिप्यते तथा, तद् तदिषय एव दण्डो न सर्वविषय इति विषय-भेदान्न विरोध इति भावः ।

विशेषमाह । यदा पुनिरिति । शतं पणाः । तेनैव मनुनैव । आक्षारयन् । अभिशपन् ।
 अदद्त् अत्यजन् ।

नतु जायायाः शापे मात्राद्यभिशापसाम्येन दण्डविधानं न युक्तमत आह । एतच्चेति । गुरुषु पूज्येषु । गुरुभिंनं निमित्तम् । एतेन भार्यादीनां तत्साम्येन दण्डविधानं समाधेयमिति कुळ्ळूकभट्टोकं समाहितम् । मेधातिथिस्त्वाक्षारणं भेदनमुक्त्वा तनयं गुरुमिति पाठमङ्गीकृत्य मात्रादीनां मिथो १५ भेदनकर्तुरयं दण्डविधिरिति व्याख्यातवान् ॥ २०४॥

### याज्ञवल्कीये २०५ श्लोकः।

मूले हशब्द्श्वार्थे, तत्समुचेयमाह । अन्यं वेति । तद्र्थमेवाह । त्वज्जायामिति । पञ्चविंशतिकमित्यस्य व्याख्या । पणानामिति ॥ २०५ ॥

### याज्ञवल्कीये २०६ श्लोकः ।

२० अश्वीलाक्षेपे एव स्थलविशेषे दण्डिवशेषपितपाद्कं मूलमित्याह। एविमिति। गुणो वृत्तादिः। विषमगुणेषु तेष्वेव। पूर्ववाक्यस्य संख्यापेक्षयाऽत्राईदैगुण्यादिपतिपादनादश्वीला-क्षेपविषयकमेवेद्मः। तत् ध्वनयन्वक्ष्यिति व्याख्याने पूर्वेत्यादिः। साकाङ्क्षात्वादाहः। आक्षेप्त्रः पेक्षयेति । अधमत्वं न जातिकृतं,तत्र तस्य वक्ष्यमाणत्वात् । अत आह। न्यूनवृत्तेति । आकाङ्क्षानिरासायाहः। पूर्वेति । अविशेषेणोति । आक्षेप्त्रपेक्षया न्यूनवृत्तस्य समवृत्तस्य वा भार्येति । यथाकथंचित्यरभार्यात्वमत्र विवक्षितम् । अत एवाविशेषेणत्युक्तम् । अन्यूनवृत्तसंबन्धित्वे भेदेनोन्वत्यसङ्गितिर्दिगुणदण्डासङ्गतिश्च । अधिकवृत्तादिसंबन्धित्वेऽप्याद्यदेष एव । समवृत्तादिसंबन्धित्वेऽपि तथा । पूर्वत एव प्राप्तत्वात् । तस्मान्नितयभिन्नविषयकं तदिति भावः।

न च पूर्वपद्यव्याख्यावसरे " अन्यं वा त्वज्ञायाम् " इत्याद्युक्त्वा पञ्चविंशतिको दम उक्तः, इह तु पञ्चाशत्पणात्मक इति मिथो विरोध इति वाच्यम् । पूर्वत्र भार्याद्वारा पुरुषस्याक्षेपे दण्डविशेष ३० उक्तः, अत्र तु परभार्याया एवाक्षेपे विशेष उच्यत इति भेदात् ।

#### ( उत्तरार्धः )

वर्णानां बाह्मणादीनाम् । कल्पनां न तु दण्डम् । चतुर्णी युगपत् द्दस्थ्रमाभावायाह । वर्णाश्चेत्यादि । कमविवक्षया न दोषः । यथासंख्यमप्यत एव सिद्धम् । प्रत्यासत्तेरन्यस्याभावा- बाह । परस्परमिति । कल्पनामेवाह । प्रकर्षेणिति ।

**१ फ−अ**मिशापयन् ।

विशेषं तत्राह । तच्चेति । विशेषो विशेषणम् । शेषो इति पाठेऽप्येवम् । उत्तराधरमावेति । वर्णकर्तृको जातिविषयकः जातिकर्तृको वर्णविषयको वा य आक्षेपस्तद्तुरोधेनेत्यर्थः । तत्र
बाह्मणकर्तृकम्द्रीविसक्तविषयकाक्षेपे आह । यथोति । पातिलोम्येतिवक्ष्यमाणवचनेन क्षत्रियकर्तृकबाह्मणविषयाक्षेपे बाह्मणकर्तृकक्षत्रियविषयाक्षेपे च क्रमेण प्रतिपादितं शतपणं पञ्चाशत्पणात्मकं च
बुद्धिस्थीकृत्याह । क्षत्रियाक्षेपेति । बाह्मणकर्तृकक्षत्रियविषयाक्षेपेत्यर्थः । किंचित् अधिकं
यस्मिचिति बहुवीहिः । पद्दयं वा । किंचिदिति पाद्गशयकम् । स चात्र' शतापेक्षया चतुर्थीशः ।
तथा च तत् पाद्मिकं तत्त्वरूपमाह । पञ्चसप्तत्यात्मकिमिति ।

क्षत्रियकर्तृकम्द्र्शविसक्तविषयाक्षेपे दण्डमाह । क्षत्रियोऽपीति । तं मूर्द्राविसकम् । ब्राह्मणाक्षेपोति । क्षत्रियकर्तृकबाह्मणविषयकाक्षेपेत्यर्थः । ऊनं पाद्गिनम् । तदेवाह । पश्चेति । अर्हतीत्यस्यानुषद्भः । मूर्द्धाविसकस्य बाह्मणापेक्षया न्यूनत्वात् क्षत्रियपेक्षया अधिकत्वात् क्षत्रिय- १० कर्तृकबाह्मणाक्षेपनिमित्ताच्छतदण्डाच्यूनः , बाह्मणकर्तृकक्षत्रियाक्षेपनिमित्तात्पञ्चाशत्यणादिषिकः पञ्चसप्तत्यात्मक एव दण्ड इत्यर्थः ।

द्वितीये आह । मूर्द्वाविसकोऽपीति । तावाकुश्योति । बाह्मणक्षत्रियावाकुश्येत्यर्थः । यद्यपि तद्भेदेनापि दण्डव्यक्तिर्भिन्ना तथापि जात्यैक्यादाह । तमेव दण्डमिति । मूर्द्वाविसकस्य क्षत्रापेक्षयाऽधिकत्वेन क्षत्रकृतकबाह्मणविषयाक्षेपिनिमित्तकशतदण्डापेक्षया पादोनं शतं पश्चसप्तत्या- १५ त्मक एव दण्डो मूर्द्वाविसक्तेन बाह्मणाक्षेपे कृते, तथा मूर्द्वाविसकस्य बाह्मणापेक्षया न्यूनत्वेन बाह्मण-कर्तृकक्षत्रियाक्षेपिनिमित्तदण्डात्पश्चाशत्पणात्मकात्पादाधिकः पश्चसप्तत्यात्मक एव दण्डो मूर्द्वाविसक्तेन क्षत्रियाक्षेपे कृते, इत्युभयथाऽपि तावानेव दण्ड इत्यर्थः ।

एवं वर्णजात्योर्मिथ आक्षेपे द्ण्डमुक्त्वा जातिष्वेव ब्राह्मणात् क्षत्रियायां: वैश्यायां च जात-योर्मूर्द्धाविसकाम्बष्ठयोर्मिथ आक्षेपे दण्डमाह । **मुर्द्धीत ।** अत्र ब्राह्मणस्थानीय आदः । क्षत्रिय- २० स्थानीयोऽन्त्यः । तथा चाम्बष्ठेन मूर्द्धाविसकाक्षेपे शतं, विपरीते तु पश्चाशदिति व्यवस्था • विज्ञेया ।

वर्णानुलोमप्रतिलोमापवादे तु पूर्वोक्तन्यायेन पादोनः पादाधिको वा दण्डः । अत्र पञ्चा-शद्पेक्षया पाद्क्लिप्तिने शतापेक्षया । तथा च क्षत्रियापेक्षयाऽम्बष्टस्य न्यूनत्वादैश्यापेक्षया दण्डः पञ्चिशित्यात्मकस्तस्मात्पादाधिकः सार्द्धसप्तत्रिंशदात्मको दण्डो भवति । ब्राह्मणेन निषादाक्षेपे पादो- २५ नैकोनिविंशतिपणानां दण्डः । अत्र पञ्चविंशत्यपेक्षया पाद्व्यवस्था । ततश्च वैश्यापेक्षया न्यूनत्वाचि-षाद्स्य शूद्रापेक्षयाऽधिकत्वाच्च ब्राह्मणेन वैश्याक्षेपे यो दण्डः पञ्चविंशत्यात्मकस्तद्पेक्षया पाद्न्यूनो ब्राह्मणेनैव शूद्राक्षेपे यः सार्द्धद्वाद्शपणात्मको दण्डस्तद्पेक्षया पादाधिकः पादोनैकोनिवें-शत्यात्मको दण्डः ।

निषादेन बाह्मणाक्षेपे पञ्चसप्तत्यधिकं शतं दृण्डः । अञ्चापि पुनः शतापेक्षयैव पाद्व्यवस्था। ३० तथा च श्रूद्रापेक्षया निषादस्याधिकत्वेन वैश्यापेक्षया च न्यूनत्वेन श्रूद्रेण बाह्मणाक्षेपे यो दृण्डो वधात्मकः शारीरस्तस्माद्र्थद्ण्डस्य न्यूनत्वेन श्रूद्रकृतबाह्मणाक्षेपनिमित्तकद्ण्डात्किं चिन्यूनो वैश्येन बाह्मणाक्षेपे यो दृण्डः सार्धशतं तस्मात्किं चिद्धिकः पञ्चसप्तत्यधिकं शतं दृण्डो भवति ।

अम्बष्टेन ब्राह्मणाक्षेपे पश्चिविंशत्यधिकं शतं दृण्डः । वैश्यतोऽम्बष्टस्याधिकत्वेन क्षत्रियतो न्यूनत्वेन च वैश्येन ब्राह्मणाक्षेपे सार्धशतं यो दृण्डस्तस्मान्यूनः क्षत्रियकर्तृकत्राह्मणाक्षेपे यो दृण्डः शतात्मकस्तस्माद्धिकः पञ्चिविंशत्यधिकं शतं दृण्डो भवति ।

मूर्द्धावित्तिककर्तृकबाह्मणविषयाक्षेपे यः पूर्वे दिशितः स एव वर्णजात्यानुलोम्यपातिलोम्यापवादे प्र कल्पनाक्रमः। जातिष्वेवानुलोम्यपातिलोम्यापवादे तु बाह्मणक्षत्रियविशामिव मूर्द्धावित्तिकाम्बष्ठनिषा-द्वानामिप यथाक्रमं पश्चाशत्यश्चविंशतिसार्द्धद्वादशसार्धशतपश्चाशदात्मकद्ण्डस्योहनं श्चेयम् । यथा संनिहिताधिकापेक्षयाऽधिको दण्डो व्यवहिताधिकाक्षेपे तथैव संनिहितन्यूनापेक्षया न्यूनो दण्डो व्यवहितन्यूनाक्षेपे इति । तदाह । एवमिति ॥ २०६ ॥

एवं सर्ववर्णिति । सर्वे च वर्णाश्चेति समासः । सर्वे मुर्द्धावसिकादयः । वर्णाः श्राह्मणा-१० दयः । एवेन जातिन्यवच्छेदः । मिथ इति शेषः । प्रातिलोम्यानुलोम्याभ्यामाक्षेपे इत्यर्थः ।

#### याज्ञवल्कीये २०७ श्लोकः।

अपवादे। वाघो नात्र विवक्षित इत्याह । अधिक्षेपा इति । "अपवादस्तु निन्दायामाज्ञा विश्रम्भयोरिप." इति विश्वयः । व्राह्मणोति । ति विषयकेत्यर्थः । पूर्ववाक्यीयद्विगुणेति । अधीऽधमेषु द्विगुण इत्यत्रोपात्तिद्विगुणेत्यावर्थः । वाक्याद्वीतिपाठे तत्संबन्धिद्वगुणपदेत्यावर्थः । द्वैगुण्यं त्रैगुण्यं त्रैगुण्यं त्रेगुण्यं त्रिगण्यं त्रिग्णयं त्रेगुण्यं त्रेग्यं त्रेग्

अत्र 'द्मा' इति बहुवचनं निमित्तसूतवर्णापराधवाहुल्याभिप्रायेण । तथा हि क्षत्रियवैश्याम्यां ब्राह्मणे वैश्यश्रद्धाभ्यां क्षत्रिये स्ट्रेण वैश्ये एवमानुलोम्येनापीति तद्धाहुल्यम् । तदेतद्भिप्रेत्येव २० ब्राह्मणविषयकक्षत्रियवैश्यकर्तृकापराधे यो न्याय उक्तस्तं क्षत्रियविषयकवैश्यश्रद्धकर्तृकापराधे उप्यतिदिशति । विद्शूद्धयोरपीति । अनन्तरः संनिहितः । एकान्तरः एकेन व्यवहितः । यथा ब्राह्मणादनन्तरैकान्तरयोः क्षत्रियवैश्ययोर्बाह्मणविषयापराधे द्ण्डस्तथेव क्षत्रियादनन्तरैकान्तर- योवैश्यश्रद्धयोरपीत्यर्थः । ब्राह्मणानन्तरेण क्षत्रियेण ब्राह्मणाक्रोशे शतिमव वैश्यानन्तरेण स्ट्रेण वैश्याक्रोशेऽपि शतिमत्याह । श्रूद्धस्य चेति ।

वर्णानामित्युत्तरार्धं व्याचष्टे । आनुलोम्येन त्विति । शेषमाकांक्षितं पकृतमाह । आ-क्रोशे इति । 'तस्मादिति ' मौलस्य व्याख्या ब्राह्मणाकोशेति । क्षत्रियकर्तृकवाह्मणविषयाक्षेप-निमित्तात् क्षत्रसंबन्धिशतपरिमितदण्डादित्यर्थः । प्रत्यासत्तेराह । प्रतिवर्णमिति । ब्राह्मणेन क्षत्रा-क्षेपे कृते शतादर्धे पश्चाशत् दण्डः, तेनैव वैश्याक्षेपे कृते पश्चाशतोऽर्धे पश्चिवशतिः, तेनैव च सूद्रा-क्षेपे कृते पश्चिवशतेर्पे सार्द्धहादशपणा इति विवेकः । वीप्तेयम् । हानित इत्यपादानपश्चम्यन्तात्त-१० सिरित्याह। हार्नि कृत्वेति । अत एव शेषं साकाङ्क्षमाह । अविश्विमिति। अर्धेति। अर्धन्यूनत्रयो-दशत्यर्थः । पश्चाशत् पणान् । क्षत्रियस्येति । क्षत्रियविषयकेत्यर्थः । वैश्ये अभिशस्ते सिति। एवमप्रेऽपि । ब्राह्मणो दण्ड्यः स्यादित्यर्थः । द्वादशक् इति । सार्दः । परिमाणे कन् । उक्तरित्येवोक्तन्यायमन्यत्राप्याह । क्षत्रियेणोति । अत्राये गौतमसंगतिमाह । ब्राह्मण-राजन्यविति । तयोस्तादृशयोर्थया न्यायस्तथाऽनयोरित तादृशयोरित्यर्थः । द्वितीये मनु-संगतिमप्याह । विद्धिति । वैश्यश्चर्याः स्वजातिं प्रति अन्योन्यजातिं प्रति आक्रोशे एवमेव ब्राह्मणक्षात्रियवत् । वैश्ये शूद्धाकोशिनि प्रथमसाहसः, श्चेद्वे वैश्याकोशिनि मध्यमसाहस इत्येवं स्पं दण्डपणयनं जिह्वाच्छेदरहितं तत्त्वतो यथावत्कर्तव्यमिति शास्त्रनिश्चय इत्यर्थः । अस्य हि—

"छेदवर्जे प्रणयनं दण्डस्येति विनिश्चयः।" इत्युत्तरार्द्धम्। ( मनुः ८। २७६)

" त्राह्मणक्षत्रियाम्यां तु दण्डः कार्यो विजानता । त्राह्मणे साहसः पूर्वः क्षत्रिये त्वेव मध्यमः॥" इति पूर्वपयं च । त्राह्मणक्षत्रियाम्यां मिथः पतनीयाक्रोशे कृते द्ण्डशास्त्रश्चेन राज्ञा दण्डः कार्यः । दण्डमेव विशेषणाह । त्राह्मणोति । त्राह्मणे क्षत्रियाक्रोशिनि प्रथमसाहसः कार्यो त्राह्मणानक्रोशिनि पुनः क्षत्रिये मध्यमसाहस इति तद्र्यः । एवं च तद्पि पतनीयाक्रोशिविषयमेव यद्यपि १० तथापि तुल्यन्यायतयाऽत्रोपन्यस्तं व्याख्यात्रा । अनेन च मनुना—

"एकजातिर्द्विजातिस्तु वाचा दारुणया क्षिपन् । जिह्वायाःपाप्नुयाच्छेदं जवन्यप्रभवी हि सः॥" (ना. अ. १५।२२)

इति स्वयमेव प्राग्नितो जिह्नाछेदो वैश्ये निवारितो बाह्मणक्षत्रियाकोशाविषय एवावतिष्ठते । भूदो दिजातीन् पातकादिना वाचाऽऽकुश्य जिह्नाछेदं लभते, यस्माद्सौ पादाख्याजिङ्ग- १५ ष्टाङ्गाज्ञात इति तद्र्थः ॥ २०७ ॥

# राइहाइद्रीए २०८ श्लोकः।

सत्यासत्यान्यथास्तोत्रैरित्यनेनोक्तत्वादा । पुनिरित । सिंहावलोकनन्यायेनोति भावः । अधिकृत्योति । बुद्धिस्थीकृत्येत्यर्थः । दृंद्धतोऽर्थान्तरिनरासायाह । प्रत्येकिमिति । युगपत्तद्सं-भवादिति भावः । वाचिके इत्यस्य व्याख्या । वाचिति । तदेवोदाहरणेनाह । तवेति । २० करादिष्विति विषयसप्तमीत्याह । वाचिके इति । अत्र वाचिके इत्युक्तयाऽस्य निष्ठुराक्षेपविषयत्वं स्पष्टम् । एवमग्रेऽपि ॥ २०८॥

## याज्ञवल्कीये २०९ श्लोकः।

किं चेति । अन्यद्पि तद्दिषये उच्यते इत्यर्थः । त्वर्थमाह । यः पुनरिति । एवं मद्जित्यस्यार्थमाह । त्वदिति । शक् इत्यस्यार्थः समर्थ इति । अर्थादाह । क्षीणशक्ति- २५ रिति । तथेत्यस्यार्थः पूर्ववदिति । अत्र विषये दण्डस्योक्तवादत्रानुकिरित्याह । पूर्वी-केति ॥ २०९ ॥

## याज्ञवल्कीये २१०: श्लोकः।

पतनीये करणे अनीयर् इत्याह । पातित्यहेतुभिरिति । वर्णिनामिति । मिथ इति शेषः । इतमपि क्षत्रियकर्तृकबाह्मणाक्षेपविषयं, पागुक्तमनोः अन्यत्र तथैव कल्पना बोध्या इति केचित् । ३० वर्णिपदं मूर्द्धाविसकादिजातीनामण्युपलक्षणम् । तथा च जातिष्विपि मिथः पतनीयैराक्षेपे मध्यमसाहसः, उपपातकैराक्षेपे प्रथमसाहसः इत्येव निर्णयः । वर्णिजात्योमिथ आक्षेपेऽपि पूर्वीक एव दण्डः । वर्णिष्विपि

१ ख-फ-प्रत्यासस्यान्य ...।

न्यूनाधिकभावं विना मध्यमसाहसादिद्ण्डविधानादितरत्रापि तथा कल्पनस्य प्रामाणिकत्वात् इति बोध्यम् । 'युक्ते तु'इत्यर्थमाह । संबद्धे पुनरिति ॥ २१० ॥

#### याज्ञवल्कीये २११ श्लोकः।

किं चेति । पाग्वत् । अत्र जातिपद्मुभयपरमित्याह । ये पुनर्ज्ञाद्मणेति । अन्यथा न्यूनता-पत्तेरिति भावः । जातिपूगानामित्येकं निमित्तं न तु इंद्र इत्याह । जातीनां पूगा इति । अयं चात्र सामान्यतः समुद्रायवाचीत्याह । संघा इति । अत्र बहुवचनवलात् तेषां प्रत्येकं संघा यथाकथित्रित् मिलितानां वा संघा इति विवक्षितम् । सर्वथाऽपि स एव दण्ड इति बोध्यम् । प्राग्वदाह । प्रत्येक-मिति ॥ २११ ॥

#### इति वाक्पारुष्यप्रकरणम् ।

#### अथ दण्डपारुष्यप्रकरणम् ॥ १९॥

अथ दितीयं पारुष्यमाह । दण्डेति । चस्त्वर्थे । गात्रशब्द उपलक्षणमन्यस्यापि । तच विनिगमकाभावात् सर्वमित्याद । स्थीवरोति । तात्पर्यार्थद्वयं हिंसनिमित्यादि । अत्र दुःखं कायिकं बोध्यम् । करीषेति पाठः । उपघातपद्स्य तस्यासम्भवात् । तद्न्वयासम्भवेन पृथ- गुक्तेराह । संस्पर्शनिति । अत एवाह । मन इति । अस्यान्वर्थमाह । दण्ड्यते इति । पर इति १ ४ शेषः । दुःखमुक्तः क्रियते इत्यर्थः ।

एवं नारदोक्त्या द्ण्डपारुष्यस्वरूपमुक्त्वा तयैव तद्भेदानप्याह । तस्य चेति । द्ण्डपारुष्यस्य चेत्यर्थः । अवगोरणादिकरणभेदेनेति । तद्भुपसाधनभूतकारकभेदेनेत्यर्थः । द्रव्यरूपकभेति । तद्भुपकर्मकारकनैविध्यादित्यर्थः । पुनः अपि । नैविध्यं तदेव । तेनैव नारदेनैव । द्ण्डपारुष्यं शरीरस्य विरूक्षीकरणं तत्र विरूक्षीकरणाख्ये व्यापारेऽवगोरणादीनि न्नीणि करणानि तद्भेदात्नैविध्यं, २० यत्र शरीरे विरूक्षीकरणं भवति तत्कर्मकारकं तस्य हीनत्वादिनाऽपि नैविध्यमेवेत्यर्थः । तस्य।पीति । द्ण्डपारुष्यस्य । हीनमध्योत्तमकमात् तक्रममाद्य । त्यब्लोपे पञ्चमी । प्रवृत्तरवगोरणादिभिक्षिभिः करणैर्हीनमध्योत्तमानां द्रव्याणां समितिकमात् नैविध्यमपि दृष्टमित्यर्थः । चः पाद्पूरणे । तथा चावगोरणादिषु करणेषु पाठकमादेव हीनत्वादिकं बोध्यम् ।

ननु करणकारककर्मकारकभेदात्याङ्घात्वं, त्रैविध्यमनुपपचम्, अत आह । त्रिण्येवेति । २५ तत्र कण्टकशोधने इति पाठः । तत्र एवंविधे दण्डपारुष्ये कण्टकशोधने दुष्टशिक्षायां क्रियमाणायाम् अपराधानुसारेण शिक्षार्थे दण्डपारुष्यस्पाणि साहसानि हीनदण्डपारुष्यमध्यमदण्डपारुष्योत्तमदण्डपारुष्य-स्पपकारत्रययुक्तानि त्रीण्येवेत्यर्थः । कर्मकरणभेदेऽपि हीनत्वादिनाऽनुगमेन तद्यपदेशयुक्त-त्वात्रिपकारकमेवेति भावः । ननु साहसतोऽस्य भेदस्य वक्ष्यमाणत्वात्कथं साहसानीत्यत आह । त्रीण्येवेति । साहससामान्यलक्षणाकान्तत्वस्यात्रापि वक्ष्यमाणत्वादिति भावः ।

३० एवं नारदोत्तया सभेदं दण्डपारुष्यस्वरूपमुक्त्वा वाक्पारुष्यसाधारणधर्मान् तयैव प्रतिपाद्यितुं तेषां स्वरूपं क्रमेणाह । तथिति । 'उभयोरपीति ' विषयसप्तमी । प्रवृत्तकलहयोईयोर्भध्ये इत्यन्वयः । पूज्य एवेति एवोऽप्यर्थे । तृतीयप्रकारमाह । कल्लहे चेति । बद्धमनुबद्धं यतपूर्ववैरं तस्मर्तुरित्यर्थः ।

एवेनान्यव्यवच्छेदः। सज्जना एव आर्या एव। दापने भृत्यादिद्वारा। तेषां आर्याणाम्। स्फुटार्थम् एवव्यवच्छेदमाह । नार्थमिति । न धनमित्यर्थः ।

तेनैव नारदेनैन। एतयोरुभयोर। वाग्दण्डपारुष्ययोः। पञ्च विधाः प्रकारा यस्य ताहरो। विधिविधानमुक्तमित्यर्थः। तान्येवाह उक्तक्रमेण। पारुष्ये सतीत्यादिना। संरम्भात्पौर्वा- पर्याभावः। तदेव ध्वनयनाह। दण्डोति। योऽतिक्रम्य गच्छिति स दण्डभागित्यर्थः। एवं प्रथमं तमुक्त्वा दितीयमाह। पूर्विमिति। आक्षारयेत् पारुष्यं दुर्यात्। नियतं अवश्यम्। पञ्चाद्यः आक्षारयेत्। असत्कारी दोषभाक्। विशेषमाह। पूर्वे त्विति। विनयो दण्डः।

कलहे चेत्युक्तं तृतीयमकारमाह । द्वयोदिति । तुल्यं अन्यूनाधिकं कलहमापनयोः प्राप्तयोः इयोर्मध्ये यः पुनः यस्तु वैरमनुबध्नाति दृढतरं स्मराति तर्गोर्मध्ये स एव द्ण्डभाक् भवति पूर्वी वा पूर्वे प्रवृत्तो वा यदि वा अथ वा इतरः पश्चात्प्रवृत्त इत्यर्थः ।

चतुर्थमाह। पारुष्यंति। स्पष्टम् । पश्चममाह। श्वपाकाति । वधवृत्तिष्विति श्वपाकादेरेव विशेषणम् । वधजीविष्विति तद्र्थः। अत एवैते तद्वान्तरभेदा एवात्र। 'नृपेष्विति ' विषय- १० सप्तमी । चो भिन्नकमः। तथा च वधवृत्तिषु श्वपाकादिषु चतुर्षु हस्तिपवात्यदासेषु च सद्यस्तत्कालं घात एवानुशासनम्। कस्मिन्सित, गुर्वाचार्यनृपविषये मर्यादातिकमे सतीत्यर्थः। गुर्वाचार्यान्तगेषु चेति पाठान्तरम् । तत्रान्तं चरममाश्रमं गच्छतीत्यन्तगो यितः। यद्दा अन्तं नाशं गच्छन्ति गमयन्तित्यन्त-गाः गुर्वाचार्ययोरन्तगास्तेषु गुर्वाचार्यद्रोहिषु । अत्र चो यथाश्रुत एव । तथा च वधवृत्तिषु श्वपाकादिषु हस्तिपादिषु गुर्वाचार्यान्तगेषु च सद्यो घात एवानुशासनं शिक्षा । उत्तरश्चोक- १५ पर्यालोचनया सत्सु इत्यर्थलभ्यम् । कस्मिन्सित्, सत्सु विषये मर्यादातिकमे सतीत्यर्थः। गुर्वाचार्यान्तगिष्विति पाठेऽप्येवम् । "श्वपाकपश्चाण्डालवेश्यास्करवृत्तिषु "। इति 'गुर्वाचार्यातिगेष्विति चेशित कल्पतरौ पाठः।

आद्यपक्षे नृपेत्याद्युपलक्षणमिति सूचयन् भातमेव देशा पद्याभ्यामाह । यमेवेति । तृषु नृणां मध्ये । एते श्वपाकादयो यमेव हि सन्तं जनमित्याद्यर्थः । विनयं, दण्डम् । एव- २० व्यवच्छेयमेवाह । न तदिति । एते, पूर्वीकाः ।

## याज्ञवल्कीये २१२ श्लोकः।

एवं स्मृत्यन्तरोक्तमुक्त्वा तत्सङ्गत्या मूलमवतारयति। एवंभूतिते। उक्तमकारं प्राप्तेत्यर्थः। एतेन पारिशेष्यात् पूर्वोक्तचतुर्गुणप्रणयनस्य, वक्ष्यमाणमूलोक्तस्य। तिद्विते। दण्डपारुष्यस्वरूपेत्यर्थः। हेतुमिति जातावेकवचनम्। असाक्षिकं हतं हननं यत्र निवेदने इति बहुवीहिः। तदाह। यदेत्यादिना २५ निवेदयतीत्यन्तेन । वणादिस्वरूपं प्राप्तेः। 'युक्त्येति' जातावेकवचनं व्याख्याने। तत्स्वरूपमाह। कारणपर्यालोचनात्मिकया प्रयोजनपर्यालोचनात्मिकया वित्यर्थः। अग्रमोऽत्रान्य एवेत्याह। जनप्रवादेनेति। मौलमेकं चं व्याचछे। चश्चद्वादिति। सर्वसमुचायकं दितीयं तमाह। दिव्येन चोति। मूले कृतो भयादित्यत्र कृदिति सम्पद्दित्वाद्वावे किप्। तस्य करणस्य भयादित्यर्थः। तस्यानिश्चयादाह। कृतसम्भावनाया हति। करण- ३० सम्भावनाया इत्यर्थः। तृतीयपादार्थमाह। परीक्षेति॥ २१२॥

# याज्ञवल्कीये २१३।२१४ श्लोकी ।

प्रम्, अव्यवहितोक्तप्रकारेण। अस्य भयादित्यर्थः। निश्चिते दण्डपारुष्ये। न समुद्दाय-स्पर्शी विवक्षित इत्याह। रेणुना वेति। तेषां स्पर्शे हेतुभूते सतीति वाच्योऽर्थः। तत्फिलितमाह। य इति। इति अनेन। कणीवद् कर्णमलम्। दूषिका नेत्रमलम्। त्रयाणां दृंद्द इत्याह। ५ तैरिति। द्विगुणस्तत इति मूले व्युक्तम इत्याशयेन तद्र्थमाह। ततः पूर्वादिति। पूर्वोक्तात्। पूर्वाद्गीति विकल्पात् न स्माद्।देशः। पुरीषादीति। तैः स्पर्शने कृते त्वित्यर्थः। छदिंभूत्रेति। छदिंभमं छर्वादिभिः परगात्राभिद्रोहे आपात् पाद्मारभ्य नाभिपर्यन्तं यो दण्डः स चतुर्गुणः दशपणापेक्षया तत्त्वं चत्वारिंशत्यणः स्यात्। कायमध्ये नाभेक्ष्यं मुखाद्वीक् तैस्तथा सति षड्गुणः षष्टिपणः स्यात्। मूर्धिन तु तैस्तथा सति अष्टगुणः अर्शातिपणः स्मृत इत्यर्थः।

१० एतेन पारिशेष्यात्पूर्वोक्तश्चतुर्गुणो दण्डो नाभेरधस्तात् द्रोहे विज्ञेय इति व्याख्यानमपास्तम् । आपादित्यस्यार्थाज्ञानात् । समासान्तस्तत्र लोप आर्षः ।

कातीयं न्याचष्टे । आद्येति । समेष्वेविमिति न्याचष्टे । एविमिति । तत्र एविमित्यस्यैवंधूत इत्यादि न्याख्या । समेष्वित्यस्य च सवर्णेति ।

परस्रीषु द्विगुण इत्यादि व्याचष्टे । परेति । अविदेशेषेणेति । सवर्णत्वोत्तमवर्णत्विश्वानवर्णत्व-१५ विशेषमन्तरेणेत्यर्थः । तथा च परस्रीमात्रे भस्मादिभिः स्पर्शने दशपणात् द्विगुणो विंशतिपणः, अमे-ध्यादिभिः स्पर्शने विंशतिपणात् द्विगुणश्चत्वारिंशत्पण इत्यर्थः ।

एवमुत्तमेषु चेत्यत्रापीत्याह। तथोत्तमेष्टिविशि अत्रोत्तमत्वं न जातिः। तत्रानुपद्मेव वक्ष्य-माणत्वात्। अत आह । स्वेति । एवमग्रेऽपि । हीनेष्टिवति । आदिना वृत्तादि । दशपणश्चेति । भस्मादिभिः स्पर्शने इत्यर्थः । तुर्यपादं व्याचष्टे । मोष्ट इति । उपलक्षणे तृतीयेत्याह । २० युक्तेनेति ॥ २१३ ॥ २१४ ॥

## याज्ञवल्कीये २१५ श्लोकः।

प्रातिलोम्येति । तेनापराधे इत्यर्थः । बहुवचनान्तेन समास इत्याह । ब्राह्मणानामिति । अत्र वर्णत्वेन सादृश्यादाह । क्षत्रियादेरिति । विशेषमाह । क्षत्रियेति । श्रेयांसम्, उत्तमजातिम् । दिजातिम् इति यावत् । अत एवाह । अन्त्यज इति । अङ्गमध्येऽन्त्यात्
२५ निक्वष्टात्पादाज्ञात इत्यर्थः । अन्ते भवोऽन्त्यः श्च्रद्ववर्णस्तस्माज्ञात इति वा । अन्त्यः सन् जात
इति वा । अस्य श्चर्य । मात्रं कात्स्न्यें । तन्मात्रविषयकापराधे इत्यर्थः । अत्र तेन तत्
साक्षात्परम्परासाधारणं बोध्यम् । तदित्यस्येदमित्यर्थः । मनुग्रहणमाद्रार्थम् । मानवमेवेदम् ।

उक्तन्यायमन्यत्रातिदिशति । वैश्यस्यापीति । वैश्यस्य क्षत्रियानन्तरभावित्वेन न्यूनत्वे-नान्त्यज्ञत्वात्क्षत्रियस्य तद्पेक्षया ज्यायस्त्वेनोत्कृष्टत्वाच्छ्द्रतुत्यत्वेनायमेवाङ्गच्छेद्नरूपो दण्ड इत्यर्थः । ३० शस्त्रादीति । शस्त्रादेः स्पर्शे इत्यर्थः । तद्द्विक इति प्राग्वत् । तत्फलितमाह । प्रथमेति ।

नतु भस्मादिभिनिष्ठयूतान्तैः पागुक्तैः पातिलोम्यापराधे को दण्ड इत्यत आह । भस्मा-दीति । उक्तमूलमाह । प्रातिलोम्येति । भस्मादिभिः स्पर्शने सवर्णविषये यो दशपणी दण्ड उक्तस्तस्यैव प्रातिलोम्येत्यनेन तथोकत्वात्स एवात्रापि । तत्र क्षत्रियेण ब्राह्मणं प्रति भस्मादिभिरभि-द्रोहे कृते पातिलोम्यापवादत्वेन द्विगुणो विंशतिपणो दण्डः । तैरेव वैश्यकर्तृके क्षत्रियापराधे १ ख-व्यविक्रोक्तमकरेण।

२५

तत्रोक्तादिशतिपणात् दिगुणश्चत्वारिंशत्पणो दण्डः । तैरेव वैश्यकर्तृकवाह्मणापराघे विंशतिपणादेव त्रिगुणः पष्टिपणो दण्ड इति बोध्यम् ।

तत्रापि भस्मादिकरणकवाह्मणापराधेऽपि । दुर्पादिति निष्ठीवनादौ हेतुः । अवेत्येतेऽवमान-सुचकाः ॥ २१५ ॥

#### याज्ञवल्कीये २१६ श्लोकः ।

व्यवहितसङ्गितिमाह । **एविमिति । पुनः** पुनरिष । सजाति सवर्णम् । सिंहावलोकन-न्यायेनेति भावः । हस्तेति समाहारद्वन्द इत्याह । हस्ते इति । उद्गूर्णे उद्यते । द्शविंशितिका-वित्यत्र द्वन्द्वोत्तरं परिमाणे किनत्याह । यथेति । परस्परिमत्यस्य लक्ष्यार्थमाह । परस्परेति । सवर्षेभित्यस्य मध्यमणिन्यायेनान्वयः । वर्णानामिति तद्र्थः । उद्गूर्णे इत्यस्यानुवृत्तिः तद्राह । उद्गूर्णे इत्यादि ॥ २१६ ॥

#### याज्ञवल्कीये २१७ श्लोकः।

किं चेति । सवर्णविषयेऽन्यद्प्याहेत्यर्थः । एवमग्रेऽपि । पादेति । अत्र करशब्दस्यापूर्वनिपातः । तत्यकरणस्यानित्यत्वात् । अतः एवं।ये करपादेत्युक्तिसङ्गृतिर्मूले । वस्त्रग्रहणान्न समाहार
इत्याह । कराणाःमिति । अतः एवाह । अन्यतमिनाते । मुख्यार्थोऽत्र न विवक्षितः इत्याह ।
झिटितीति । समाहारदन्द्राद्दण्डवाहुल्याद्विरोधाचाह । समुचिते इति । असम्भवनिरासायाह । १५
एतदिति । मूले भावे पत्यया इत्याह । अंशुकेनावेध्चित्यादि । अध्यासपद्र्थमाह । घट्ट्यतीति । ताडयति ॥ २१७ ॥

#### याज्ञवल्कीये २१८ श्लोकः।

आद्यर्थमाह । लोष्टेति । त्वग्भेद्क इत्यादौ शेषषष्ठ्या समासः । निमित्तान्तरे मूलोक्त-मेवाह । लोहितस्योति । चस्तु दण्डसमुचायको न तु समुचयनिमित्तत्वसूचकः । सर्वत्र तथैव २० सत्त्वात् । तद्याख्यातृभिरिप तथैव व्याख्यातत्वाच । एतेन 'समुचिते शतदण्डो न त्वङ्गात्रभेद्के, चस्य समुचयकोधकत्वादिति ' व्याख्यानमपास्तम् ।

नन्वेवं चतुःषष्टिपणो दण्डो मूले रक्तदर्शने उक्तः, मनुना तु शतमिति मिथो विरोध इति वेज । मर्भस्थले तद्दर्शकस्य मनुक्तम्, अन्यत्र मुलोक्तमिति विवेकात् । अग्रे चस्त्वर्थे ॥ २१८॥

#### याज्ञवल्कीये २१९ श्लोकः ।

करेति समाहारद्वन्दे 'पाद्वन्तेति' ( व्या. सू. ६।१।३३ ) द्दादेश इत्याह । करेति । अधिमानुरोधेन दण्डस्य तुल्यत्वाचाह । प्रत्येकिमिति । मूले कर्णनासयोरित्यार्षम् । तत्स्चक इतरेतर-इन्द एवेत्याह । कर्णनासस्य च प्रत्येकिमिति । अपूर्ववणोत्पत्तेरवानुदेश्यत्वं किं तु जात-व्यणभङ्गस्येत्याह । क्टेति । जातेत्यर्थः । ननु करादिभङ्गस्याल्पत्वेनैकरूपेण सर्वत्र मध्यमसाहसदण्ड-विधानमयुक्तम् , अत आह । अनुबन्धादिनेति । अनुबन्धो दोषोत्पादः । 'दोषोत्पादेऽनुबन्धः ३० स्यात्'इत्यमरः । ( ३।३।९८ ) 'आदिना' व्यवहारासोकर्यम् । कर्णनासाच्छेदनादौ दोषाधिक्यं पत्यक्षसिद्धं, करपाद्विस्तु साक्षाच्छरीरावयवत्वेन तद्भङ्गे व्यवहारसोकर्याभावेन शरीरयात्राया दुर्लभन्ताहोषाधिक्यम् । एवं दन्तभङ्गेऽभ्यवहरणसोकर्याभावेन परम्परया जीवनसङ्कोचाहोषाधिक्यम् । इत्य-मनुबन्धादिना करादिभङ्गादिक्पविषयस्य साम्यमूद्धमित्यर्थः ॥ २१९ ॥

## याज्ञवल्कीये २२० श्लोकः।

चेष्टेति । अत्र वाचोऽपूर्वनिपातः प्राग्वत् । एवं कन्धेरत्यत्रापि । तत्रेतरेतरयोगोऽप्येवम् । अत एवेह चेष्टार्थो । गमनेति । प्रत्येकमिति वक्ष्यति । मूले चो न्युक्तमे सर्वसमुचये । अप्रे मूले चरत्वर्थे ॥ २२० ॥

याज्ञवल्कीये २२१ श्लोकः।

यथोक्तादित्यस्यार्थमाह । यस्मिन्निति । अपराधबहुत्वादाह । प्रत्येकिमिति । तदेवाह । अतीति । एवं सवर्णविषयापराधे मूलोक्तं दण्डं वाक्ष्पारुष्योक्तन्यायेनात्र तद्मुक्तत्वात्पातिलोम्यानु-लोम्यापराधयोर्थोज्ञयति । प्रातिलोम्योति । प्रतस्यैव मूलीयस्यैव । दण्डजातस्य, तत्समूहस्य । प्रातिलोम्यापराधे दण्डस्य वृद्धिः, आनुलोम्यापराधे दण्डस्य वािनिरित्यर्थः ।

१० न च विप्रपीडाकरामिति मूळव्याख्यावसरे भस्मादिसंस्पर्शे पुनिरित्यादिनाऽयमर्थ उक्तः स एवाञोच्यते इति पौनरुक्त्यमिति वाच्यम् । भस्मादिभिः करणाविशेषैः प्रातिलोम्यापराधे सित तञ्जैवा-पराधे प्रागुक्तः प्रातिलोम्यापराधदण्डपसङ्गेन अत्र तु प्रातिलोम्यानुलोम्यापराधयोक्तभयोरिप वाक्पारुष्योक्तस्य सकलस्यापि दण्डस्य, कल्पनापकारो बालावबोधार्थमुच्यते इति भेदात् । मानवे 'प्रातिलोम्यानुलोमत ' इति धर्मपरम् । पञ्चमीदिवचनान्तात्तिः । कार्याः कर्तव्याः दण्डाः । १५ दाप्या इति पाठान्तरम् ।

# ( उत्तरार्धः )

'कलहोति' सप्तमीसमासः । तदाह । कलहे इति । वर्तमाने न तु समाप्ते । तत इत्य-स्यार्थमाह । अपहतेति । तत्र हेतुं सूचयनाह । अपहारेति । बहुवीहिः ॥ २२१॥

#### याज्ञवल्कीये २२२ श्लोकः।

२॰ ताडनात् 'ताडितादिति ' पाठेऽपि भावे कः । समुत्थानजमित्यादेरर्थमाह । तस्य व्रणेति । कियते अनेन सम्यगुत्थानमिति च्युत्पत्त्याऽऽह । व्रणरोपणिमिति । च्युत्पत्त्या तस्य सम्यक् स्वरूपतः करणिनत्यर्थः । "दण्डं चे"त्याद्यर्थमाह । यस्मिन्निति । अस्य तात्पर्यार्थमाह । नेति । मात्रमवधारणे । मनुरपि—( अ. ८ । श्लो. २८७ )

"अङ्गानां पीडनायां च प्राणशोणितयोस्तथा । समुत्थानव्ययं दाप्यः सर्वद्ण्डमथापि वा ॥ '' इति । १५ अङ्गानां करादीनां प्राणशोणितयोध्य पीडनायां सत्यां समुत्थानव्ययं यावता कालेन पूर्वी-वस्थापाप्तिकपसमुत्थानसम्बन्धो भवति तावता कालेन पथ्योषधादिना यावान् व्ययो भवति तमसौ दापनीयः । यदि तं व्ययं पीडोपपादको न दातुमिच्छति तदा यः समुत्थानव्ययो यश्च द्ण्डस्तमेव सर्वे राज्ञा द्ण्डत्वेन दाप्य इत्यर्थ इति तद्माख्यातारः ॥ २२२ ॥

# याज्ञवल्कीये २२३ श्लोकः।

३० उत्तरवचनस्य प्रसङ्गसङ्गतिरित्याह । परगात्रेति । गृहादितो हस्तादीनामन्तरङ्गत्वात्तद्पराधे तावत्तत एव दण्डमुक्त्वाऽन्तरङ्गपसङ्गात् बहिरङ्गगृहकुड्याभियातादौ दण्डकथनमित्यर्थः । एतेन वैपरीत्येन कथनशङ्काऽपि निरस्ता । अर्थो गृहादिस्पः । भेदे छेदे इति पाठः । पश्चेत्यादि पद्न्त्रयम् । योग्यतयाऽऽह । मुद्गरेति । पत्यासत्तेराह । कुड्यस्येति । अभिघात आघातमात्रम् । भेदे १ इत्यस्यार्थो विदारण इति । छेदे १ इत्यस्यार्थो हिधीति । चतुर्थदण्डाभाषाद्पराध- ३५ बाह्यस्याबाह । एते त्रय इति । त्रयमित्यस्यार्थमाह । पुनरिति ॥ २२३ ॥

### याज्ञवल्कीये २२४ श्लोकः।

अर्थादाह । परेति । दुःखोत्पादीति द्रव्यविशेषणमित्याह । दुःखोति । 'जनिवध्यो'रिति (व्या. सू. ७ । ३ । ३५ ) वृद्धिनिषेधः । जननमिति पाठान्तरम् । करणे ल्युट् । द्रव्यस्वरूपमाह । कण्टकादीति । अत्र आद्यः द्वितीय इति च यथासंख्यान्वयसिद्धार्थकथनपरं, नास्ति सफलं, वाक्यभेद्राभावादित्याशयेन तिद्वज्ञायैवाह । प्रक्षिपन् षोडशेति । प्राणेति । 'हरतेरनुवमनेऽच्' इ. त्यच् (व्या. सू. २।२।९)॥ २२४॥

### याज्ञवल्कीये २२५ श्लोकः।

पशुपदोक्तेराह । अजावीति । अजश्वाविश्वेत्यादिः द्वन्दः । अत एव तस्य पूर्वनिपातः । ब्रोचित्यादाह । ताडन इति । लक्ष्यार्थमाह । दुःखोत्पादने इति । मुख्यार्थनाधादाह । शाखाशब्दे-नेति । अत्र, अत्रैव । आदिना खुरपरिमहः । करचरणेति समाहारद्वन्दः प्राण्यङ्गत्वात् । दण्डशब्द् उभयत्र तत्समूहपर इत्याह । दण्डगणस्येति । कमादिति तु न्युक्रमभ्रमनिरासाय ।

तुर्यपादोक्तमेवाभिपायतो विवेचयति । स चेति । न पुनः, न तु । दाढर्यायोक्तमाक्षिपति । १० कथिमिति । समाधातुं सिद्धार्थमनुवद्ति । अपराधेति । तावत्, आदौ । अवगमनेऽन्वयः । ततः किम्, अत आह । तत्र चेति । उपरितनदण्डत्रये चेत्यर्थः। द्विपण इत्यत्र द्वित्वं तावच्छुतम् । तत्र च श्रुतद्वित्वसंख्यात आधिक्यम् अश्रुतित्वित्वादिरूपधर्मिकल्पनया वा श्रुतद्वित्वगताभ्यासा-त्मकचतुष्ट्वादिरूपधर्मिकल्पनया वा भवति । तत्राद्येऽश्रुतकल्पना धर्मिकल्पना चेति गौरवं, द्वितीये तु श्रुतद्वित्वगताभ्यासरूपधर्मिकल्पनैवेति लाघवम् । तथा च न्यायविदः धर्मिकल्पनातो वरं धर्मकल्प- १५ नेति । अतः श्रुतद्वित्वाभ्यासाश्रयणमेवोचितमिति भावः ॥ २२५॥

#### ज्ञाज्ञवल्कीये २२६ श्लोकः।

पूर्वार्द्धं पूर्वशेष इत्याह । तेषामिति । पूर्वोक्तानामित्यर्थः । मृत्युशब्द्स्य लक्ष्यार्थमाह । मारणे चेति । अत एव तयोः सामानाधिकरण्यम् ।

उत्तरार्धार्थमाह । महापश्चनामिति । स्थानशब्दो निमित्तपर इत्याह । ताडनेति । तत्कृतदुःखोत्पादेत्यर्थः । 'आदिना ' शाखाङ्गच्छेदनादिसंग्रहः । दुःखे चेत्याद्युक्तनिमित्तेष्वि- २० त्यर्थः । द्विंगुणः, चतुष्पणादिः ॥ २२६ ॥

### याज्ञवल्कीये २२७ श्लोकः।

पुनः स्पष्टार्थं तद्र्थमाह । या इति । उताः, क्षेत्रनिक्षिप्ताः । प्रतिकाण्डं, काण्डं काण्डं प्रति । ताः शाखा येषामिति 'शाखादिम्यः ' (व्या. स्. ५ । ३ । १०३ ) इतीनिस्तद्न्ताद्पि बोध्यः । सूळेति । मूळसंबद्धशाखा इत्यर्थः ।

'अस्त्री प्रकाण्डः स्कन्धः स्यान्मूलाच्छाखावधिस्तरोः' इत्यमरः । (२।४।१०) २५

सर्वेत्यस्यार्थमाह । समूलेति । मूलेति पाठेऽर्शआयन् बोध्यः । विदारणे इत्यस्य सर्वत्र सम्बन्धः । क्रमादित्यनुवृत्तेः स्थानाख्यलोकप्रमाणाद्दाऽऽह । यथेति । विंशतेरिति पश्चमी न तु षष्ठीत्याह । विंशतीति । तदुपपत्तये आह । आरभ्येति । फलितमाह । एतदिति ।

वैयर्थ्य परिहरनु त्तरार्धार्थमाह । प्ररोहीति । उपजीव्येति । पुत्रपुष्पफलादिनेति भावः । पूर्वोक्तिष्विति । पागुकेषु निमित्तेष्वित्यर्थः । पूर्वोक्ता एव विंशतिपणाद्यः । दमशब्दस्तत्समूह- ३० पर इत्याह । दण्डा इति । न्यूनतां निराचष्टे । अतुपजीव्येति ॥ २२७ ॥

# ग्रह्मस्त्रहे २२८ श्लोकः।

द्विगुण इति । शाखाच्छेदनादिषु त्रिषु यथाकमं चत्वारिंशत्यणोऽशीतिपणः षष्ट्यिषक-शतपणश्चेत्यर्थः । अन्यत्राप्येवमेवेत्याह । विश्रुते इति । अथशब्दार्थमाह । पिप्पलेति । अत्र विश्रुतत्वं प्रसिद्धत्वं तत्र शास्त्रीयं बोध्यमिति नातिपसङ्गः ॥ २२८ ॥

### याज्ञवल्की २२९ इल्लोकः।

प्रत्याहेति । तद्भिद्रोहमभिलक्ष्य दण्डमाहेत्यर्थः । एवं पागपि । अनितिदिधिति । त्रयाणां कर्मधारयः, बहुत्रीह्युचरपद्को द्योः कर्मधारयो वा । यद्यपि लतात्वं सामान्यं तथापि समभिन्याहारा-दाह । दीधिति ।

'अप्रकाण्डे स्तम्बगुल्मो बङ्घी तु व्रतिर्वेता । लता प्रतानिनी वीरुत् गुल्मिन्युलप इत्यपि । १० इत्यमरः (२।४।९)

अवसानं समाप्तिनीश इति यावत्। पूर्वीकेषु इत्यादि पाग्वत् । पूर्वस्मृतादित्यस्यार्थः। पूर्वीकादिति।पकृतिभूतविंशतिचत्वारिंशद्शीतिपणरूपात्पूर्वीकाद्दण्डाद्र्धद्ण्डो दशविंशतिचत्वारिंशत्पणा-त्मक इत्यर्थः । अत्र मनुः, ( अ. ८ श्लो. २९५-२०० )

" प्रमापयेत्पाणभृतः तत्र द्ण्डोऽविचारितः ॥

- १५ "मनुष्यमारणे क्षिपं चोरवत् किल्विषं भवेत् । प्राणभृत्सु महत्स्वर्धं गोगजोष्ट्रहयादिषु ॥
  - " क्षुद्रकाणां पञ्चनां तु हिंसायां द्विशतो द्मः । पञ्चाशत्तु भवेद्दण्डः शुभेषु मृगपक्षिषु ॥
  - " गर्दभाजाविकानां तु दण्डः स्यात्पञ्चमाषकः । माषकस्तु भवेद्दण्डः श्वश्चकरनिपातने ॥
  - " भार्या पुत्रश्च दासभ्य पेष्यो प्राता च सोद्रः । प्राप्तापराधास्ताङ्याः स्युः रज्ज्वा वेणुद्छेन वा ॥
  - " पृष्ठतस्तु शरीरस्य नोत्तमाङ्गे कदाचन । अतोऽन्यथा तु प्रहरन् प्राप्तः स्याचौरिकिल्विषम् ॥ इति ॥
- २० " प्राकारस्य च भेतारं परिखाणां च पूरकम् । द्वाराणां चैव भद्धारं क्षिपमेव प्रवासयेत् ॥ " इति च । ( मनुः अ. ९ । २८९ )

विष्णुः, "गजाश्वीष्ट्रगोघाती त्वेककरपादः कार्यो, विमांसिवक्रयी मामपशुघाती कार्षापण-शतं दण्ड्यः पशुस्वामिने च तन्मूल्यं द्यात्, आरण्यपशुघाती पश्चाशतं कार्षापणान्, पक्षिघाती मत्स्यघाती च दशकार्षापणान्, कीटोपघाती कार्षापणमिति । "

२५ विमांसं शृगालादिमांसम् ॥ २२९॥

इति दण्डपारुष्यमकरणम् ।

#### अथ साइसप्रकरणः )

आहोति । मुलकृत् अर्द्धेनेति भावः ।

# याज्ञवल्कीये २३० क्लोकः।

३० शब्दार्थमाह । साधारणस्योति । मौलं सामान्ये त्युपलक्षणं परकीयस्यापि । तत्र साधारणधर्मस्य हेतुत्वपद्रशनद्वाराऽनुगतम् अभिमतं लक्ष्यार्थं तस्य सूचयजाह । यथेष्टेति । यौगपद्यासम्भवादाह । वेति । यथा साधारणस्यानेकस्वत्वाकान्तस्य न यथेष्टविनियोगाईत्वं तथा परद्व्य-स्यापीति तद्पहरणमपि साहसं भवतीति भावः । कुत इति । योगो वा रूढिर्वा योगरूढिर्वेति परनाशयः । प्रसर्भ हरणादिति समासः । तदाह । प्रसद्धोति तथा च यौगिकोऽयमिति भावः ।

नन्ववं मूलस्य न्यूनता तथापि तद्वस्थैव समृत्यन्तराविरोधोऽपीति चेच । हेतुनैवान्यसंग्रह-स्यापि सूचनेन दोषलेशाभावात् । तदेतत् ध्वनयन् तत्फलितमेवाह । एतादिति । राजोति । राजदण्डभयं जनाक्षेपभयं चेत्यर्थः । राजपुरुषेति । राजपुरुषाश्चेतरजनाश्च तेषां समक्षमित्यर्थः । असमक्षं तु क्रियमाणस्य स्तेयत्वमेविति भावः । यिकंचिद्र्थमेवाह । मारणेति । साहसमिति । सहसा क्रियमाणत्वात् । साहसलक्षणमिति । साहससामान्यलक्षणमित्यर्थः । अत एवाह । अत इति । उक्तहेतोरित्यर्थः । अपिना तत्समुचयः । तत्र आदिना एतस्यापि परिग्रहः । एवं च सर्वं मूलमुपलक्षणमिति स्वयमेव सूचितमिति न दोषः । अत एवाह । नारदेनापीति । साहसस्य तत्सामान्यस्य । वलस्य दर्पो गर्वः स सञ्जातो येषां तैः ।

ननु सहसा कृतं साहसमिति योगमाञ्चलक्यं तत्सामान्यलक्षणं चौर्यादिष्वानीशिष्टमिति तेष्वेवान्तर्भावादस्य प्रकरणस्य पृथगुक्तिरयुक्तेत्यत आह । तादिदमिति । पूर्वोक्तं साहस- १० सामान्यलक्षणमित्यर्थः । व्यासक्तमिप सम्बद्धमि । बलसम्बन्धिदर्पस्यावष्टम्भरूपोपावितो भिद्यते इत्यर्थः ।

नन्वेवं किमित्येवं भेदाङ्गीकारः अत आह । दण्डेति । तज्रेदस्य शास्त्रकृष्टिः मित-पाद्नादित्यर्थः । यद्यपीदं प्रागुक्तसामान्यलक्षणे तत्र सर्वत्रानुस्यूतं तथापि तादृशावान्तरोपाधिभेदा-द्विनामिति तद्यटितविशेषलक्षणेन लक्षितमत्र साहसपद्वाच्यमिति रूढमि । तत्र तु शुद्धयौगिक- १५ मिति भावः ।

यदि तु तत्साधारणं लक्षणमपीष्टं तिहें योगमात्रलब्धं तद्प्यस्तु,पकरणभेदस्तूक्तनिमित्तकः, तदा बौर्यादिष्विप विशेषलक्षणानि वक्ष्यमाणानि बोध्यानि । बलद्भयोरवष्टम्भयोरुपाधित्विमिति ब्याख्यानं तु बलावष्टम्भेनेतिव्याख्याविरोधात् सहो बलमिति नारद्विरोधाचोपेक्ष्यम् ।

तदेतत् ध्वनयनेवाह । तस्य चेति । साहसिवशेषस्थत्यर्थः । प्रथमादिति । प्रथमसाहस- २० मध्यमसाहसोत्तमसाहसभेदेनेत्यर्थः । एतानि कर्मनामानि न तु दण्डस्थेति बोध्यम् । तह्यसणं तेषां त्रयाणां छक्षणानि । जातावेकवचनम् । तेनैव नारदेनैव । तत्युनः तत्तु । शास्त्रेष्वित्युत्तरान्विय । तस्य त्रिवधस्य । क्षेत्रोपकरणं तत्सामग्री । एवमग्रेऽपि । भङ्गो भञ्जनम् । आक्षेपो दोषोत्पादः । उपमदे म्छानतापादनम् । आद्यशब्देन छेदनादिकम् । वास्रो वस्रम् । पूर्वनिपातपकरणस्यानित्यन्तान दोषः । एतेनैविति । पागुक्तभङ्गादिनैवत्यर्थः । व्यापादो मारणम् । प्राणोपरोधीति । २५ तत्राशकमित्यर्थः । तस्य त्रिवधस्य । क्रिया करणं कर्मेति यावत् । तद्येक्षः प्रथमसाहसादिक्य-कर्माश्वः न तद्दिकदः । तदेव विविच्याह । प्रथमस्येति । 'पश्चशतेति । बहुन्नीहिः । तृतीये अन्यद्प्याह । वध इति । उत्तमसाहसे इति सप्तम्यन्तपाठः । कर्मनामेदम् । व्याख्यातमिदं प्राक् ।

सहस्रावरदण्डस्य नियतत्वेऽप्यग्रे कथमिति शङ्कानिरासायोक्तमेव ध्वनयन्व्यवस्थामाह । वधाद्य इति । समस्ता मिलिताः । व्यस्ता भिनाः ।

# ( उत्तरार्धः )

एवं स्मृत्यन्तरोक्तं विशेषमुक्त्वा तत्सङ्गत्या प्रकृतमवतारयति । तत्रोति। तेषां मध्ये इत्यर्थः । आदिना सामान्यद्वव्यपरिग्रहः । अत एव तच्छब्दस्य प्रकारत्यस्यविकारकेर्द्रस्याभयसंग्रहार्थमाह । अपहतद्रव्यस्योति । अत्र साहसं कृत्वेत्यनेन सूचितं निह्नवानन्तरं साक्ष्यादिभिर्भावितोऽपि यिद् पुनस्तथैव करोति स चतुर्गुणद्ण्डार्हो न निह्नवमात्रेणेति ।

नतु प्रथमसाहसादिष्ठ नारदेन शतावरादयो दण्डा उक्ताः, मूले तु द्विगुणचतुर्गुणावुक्ताविति मिथो विरोधाद्मामाण्यम् । पक्षिकं मामाण्यं तु विकल्पस्याष्टदोषदुष्टत्वाद्युक्तम् । अत आह । एतस्मादेवेति । मूलोक्तादेवेत्यर्थः । विधानं नारदीयम् । अपहारद्वयेति । अपिह्रय-माणद्वयेत्यर्थः । अपहारव्यतिरिकेति पाठस्तु सुगम एव । द्रव्यापहारव्यतिरिकेति पाठान्तरम् । अत्र विशेषसामान्यपदोल्लेखेन तक्रकौण्डिन्यन्यायविषयता स्चिता । तथा च नामामाण्यं, नापि विकल्पः, ।कें तु विशेषस्य सामान्यापवाद्कत्वेनापहारक्षपविषयविशेषे देगुण्यादिविधायकेनानेन विशेषसाम्यतो विधायकं नारदीयं बाध्यते इति भावः ॥ २३०॥

# १॰ 🔻 याज्ञवल्कीये २३१ श्लोकः ।

साहसं विद्यते यस्य स साहसिकः । 'अत इनिठनौ ' (ब्या. सू. ५।२।११५) इति उन् । तस्य । प्रयोजियतारं, दिविषं प्रति । एवेनार्थदानव्यवच्छेदः । अत एवापौनरुत्त्यम् । साकाङ्कः त्वात्यत्यासत्तेराह । साहिसिकेति । पूर्वोक्तादित्यर्थः । दातिति तृजन्तस्य । भावित्वाद्भविष्यामी-त्यध्याहारः । तत्फिलितमाह । दास्यमीति । यद्दा भविष्यत्सामान्ये व्यत्ययेन छुट् । न्यूनतां १५ निराचष्टे । त्वमिति । लिङ्थें।ऽविवक्षित इत्याह । कार्यतीति । एवमग्रे सर्वज्ञ बौध्यम् । तज्ञ हेतुमाह । अनुबन्धेति । दोषाधिक्यादित्यर्थः ॥ २३१ ॥

# . याज्ञवल्कारे २३२।२३३ श्लोको ।

अध्यें 'पादार्घाभ्यां चेति ' (ब्या. सू. ५।४।२५) यत् । अर्घ्यस्याकोशातिक्रमौ करोतीति समासः । तदाह । अर्घ्यस्यार्घार्हस्येति । तस्य सापेक्षत्वाद्न्यार्थे पूर्वेण सिद्धत्वाचाह । आङ्गोति । २० नात्र भेदो विदारणम् । समुद्रेत्यस्य वैयर्थ्यापत्तेः । तत्र द्ण्डान्तरविधानाच । अत आह् । उद्धा- टयतीति । सामन्तपदार्थमाह । स्वगृहोति । कुलिके अत इनीति उन् । तत्फिलितमाह । स्वेति । ते सर्वे इति । प्रत्येकमिति भावः ॥ २३२ ॥ २३३ ॥

# याज्ञवल्किये २३४।२३५।२३६।२३७॥ श्लोकाः।

किं चिति । साहसिकविशेषान्तरं प्रत्यन्यद्प्याहेत्यर्थः । 'स्वच्छन्द्मिति ' क्रियाविशेष-१५ णम् । तद्र्थमाह । नियोगमिति । 'ताच्छीत्ये णिनि'स्तत्र । विकुष्टे, महता शब्द्नाहते । शक्तोपीऽति । तिविवारणे इत्यादिः । एतेनाशक्तस्य दण्डाभावस्तथा अकुर्वतः सूचितः । अपि-विरोधेऽनौचित्ये वा, न तु समुचये । अकारणे इत्यस्यार्थो वृथोति । अत्र विक्रोशो निन्देत्याह । आकोशामिति । स्रद्राः सन्तः पवजिताः । स्रद्रपवजितानामित्येकम् । तद्राह । दिगम्बरादी-निति । तु पाठे, पाठे तुं । फलेति । तथा च प्रजननशक्तेनशिन वन्ध्यता तेषां सम्पन्निति भावः । १० एषां पित्रादीनां मध्येऽपिततम् अन्योन्यं मिथस्त्यजतीति शाब्दोऽर्थः । तत्पालितमाह । पित्रा-दय वित ॥ २३४ ॥ २३५ ॥ २३६ ॥ २३७ ॥

इति साहसमंकरणम् ।

# अथ पासङ्गिकप्रकरणम् । याज्ञवल्कीये २३८ श्लोकः ।

एतद्वान्तरप्रकरणसङ्गितिगाह । साहसेति । तत्सहशेति । यथा तेषां समक्षं तत् क्रियमाणं साहसं तथा वस्रधावकादिभिरिप सकलजनसमक्षं परवस्राच्छाद्नादि क्रियमाणमिति तस्य तत्साहश्यान्त्यसङ्गात्तद्पराधकर्वॄणां तेषां दण्डमाहत्यर्थः । नेजको वस्रधावकः । आदिना वश्यमाणसर्व-परिग्रहः । अत एव 'दण्डमिति' जातावेकवचनम् । निर्णेजनं प्रक्षालनम् । अवकयमिति । करोतिति शेषः । अवकयार्थमाह । एतावदिति । ददातीत्यन्तेन । इत्येवमिति । सम्भाष्य । शाटकं, वस्रमित्यर्थः । भाटकमिति पाठे तत्त्वेनोपलक्षितं वस्रमित्यर्थः । तथा च तथा दानमवकय इति भावः । अत्र न धनग्रहणमित्याह । स्वेति ।

विशेषमाह । तानि चेति । शाल्मलेविंकारादावण् ।

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'पिच्छिला पूरणी मोचा स्थिरायुः शाल्मलिईयोः ।' इत्यमरः ( २ । ४ । ४६ )

च्यत्यासो विनिमयः । स्वगृहे इति । चिरमिति भावः । एवमग्रेऽपि । दण्ड्यः, नेजकः । फलके, पाटीति प्रसिद्धे । नेनिज्यात्, प्रक्षालयेत् । निर्हरेत् विनिमयं प्रापयेत् । प्रमादा-दिति । अपमादे तु अन्यथा द्रष्टव्यमिति भावः ।

नारदीयमदिता व्याचष्टे । अष्टपणिति । बहुवीहिः । मूल्यमन्यपदार्थः । अवधिं विनाऽष्ट- १५ मांशादितो न्यूनताया दुर्वचत्वादिङ्मात्रप्रदर्शनायेदमुक्तमिति बोध्यम् । क्षये इति चरमे उक्तेराह । नाशितस्योति । पणन्यूनं सप्तपणात्मकम् । धौतस्येत्यादेरप्रेऽपि सम्बन्धादाह । द्विधौतिति । पादोनं चतुर्थीशन्यूनम् । तदाह । पणेति । षट्पणात्मकमित्यर्थः । अर्धक्षयादिति व्याचष्टे । ततः परमिति । इदं परत इत्यन्तस्य व्याख्यानम् । सार्विवभक्तिकः प्रथमान्तात्तासः । प्रतिनिर्णेजन-मिति बीप्सायामव्ययीभावः । अविशिष्टम्, अर्धम् । अपचयेन, तत्कमेण । कचित् तथैव पाटः । २० जीर्णमित्यन्तं पूर्वान्वयीत्याह । यावज्ञीर्णमिति । जीर्णता च दशासु क्षीणासु ज्ञेयेत्येतद्र्थं सूर्ले क्षीणदशमित्युक्तम् । अर्धक्षयोत्तरं पश्चमप्रक्षालनादिषु अवशिष्टस्यार्धमूल्यस्य पाद्पादापचयकमेण मूल्यकल्पनिति पश्चमप्रक्षालने पणचतुष्टयात्मकमूल्यादेकपणोनं पणत्रयात्मकं, पष्ठे तत्र पणत्रयात्तसमान्त्यादि सपाद्पणद्यात्मकं, सप्तमे तत्र सपाद्पणद्यात्पादोनं किश्चिद्धिकसार्द्धपणात्मकामित्यादि शोष्ट्रा

जीर्णस्यानियम इति व्याचि । जीर्णस्येति। अनियम इति । अस्य प्राक् वाचिनकिनियमा-भाव इत्यर्थः । तथा सित सर्वथा तद्भावो नेति ध्वनियतुं नियमपद्स्चितमाह । इच्छात इति । परीक्षकाणामिच्छात इत्यर्थः । तथा च जीर्णनाशे परीक्षकाणामिच्छैव मूल्यद्गनकल्पनायां ममाणं न मागुक्तवचनप्रवृत्तिनीपि स्वेच्छापवृत्तिरिति भावः ॥ २३८ ॥

राह्यक्तीये २३९ श्लोकः ।

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अंध पागुक्ताविशन्दसंत्राह्याणां क्रमेण दण्डानाह । पितेत्यादि । पण्यस्योपरीत्यन्तैः पञ्चद्शाभिः पदैः केवलं तत्साक्षिणो दण्डो नाभिमतः । तथा सति साक्षित्वोच्छेदापत्तेः । तद्भावे

किचित् विवादपरिसमाप्त्यभावापत्तेश्च । किं तु यः कलहिनवारणसमर्थः सन्निप तमिनवारयन् साक्ष्य-मङ्गीकरोति तस्य दण्ड इत्याशयेन न्याचष्टे । पितेति । तथा च न तावन्मात्रं दण्डपयोजकं किं तु अन्यद्पीत्याह । न पुनः कलहिमिति । इदमग्रेऽप्युभयत्र श्चेयम् । त्रिपण इति बहुवीहिरित्याह । पणत्रयामिति । साकाङ्कृत्वात्यत्यासत्तेराह । त्रिपणादिति । चतुर्विशतिमिति न्यस्तः पाटः । पुल्यन्यायत्वादाह । दम्भार्याद्वीति । आदिना गुरुशिष्यादिपरिग्रहः ॥ २३९ ॥

# याज्ञवल्कीये २४० श्लोकः।

पूर्वोक्तं, प्रथमाध्यायान्ते उक्तं राजपत्रम् । दम्मनिष्काद्यो मूल्याध्यायिववृतौ पपश्चिताः । क्टं कैतवम् । तत्त्वरूपं सर्वत्र कमेण प्रतिपाद्यन् क्ट्टकृदिति व्याचष्टे । देशेत्यादि । स्थलत्रये अन्यथेत्यन्तं तत्त्वरूपं, तद्पि देधेत्याह । न्यूनेति । एवमभेऽपि देधेत्याह । दम्मादेरिति ।

१० उत्तरार्धं व्याचष्टे । यश्चेतिरिति । क्रुटौरिति । अर्राआयच् । पूर्वेकिः कूटक्विसित्यर्थः । जानिनित्यनेनाज्ञानतो व्यवहारे दृण्डाभावः सूचितः । व्यवहारमात्रं न तावदृण्डपयोजकं, दोषस्य स्वल्पत्वादिति जानिनित्युक्तमिति बोध्यम् ॥ २४० ॥

# याज्ञवल्कीये २४१ श्लोकः।

परीक्षिणं, परीक्षकम् । दण्डमिति शेषः । कुर्यादिति । ब्रूयादित्यर्थः । कचित्रथैव १५ पाठः । उभयत्र स्वार्थे कन् । सनाणकेत्यस्य सानिष्यात् ब्युक्कमेण व्याचष्टे । ताम्रादीति । इतीत्यस्य उभयत्र ब्रूयादिति शेषः ॥ २४१ ॥

# याज्ञवल्कीये २४२ श्लोक:।

त्रितयं सहैव लाघवेन व्याचष्टे । यः पुनरिति । मिथ्याऽऽचरित्रत्याद्यर्थं सहेतुकमाह । जीवनोति । जीवनार्थमित्यस्य अग्रिमे चिकित्सामाचरतीत्यत्रान्वयः । इतीत्यस्य जुवन् इति शेषः । २० तिर्यञ्चः पञ्चपक्ष्याद्यः ।

विशेषमाह । तत्रापीति । उक्तद्ण्डेष्वपीत्यर्थः । त्रिषु यथाक्रमेणाह । सूल्येत्यादि । तिर्यक्ष सूल्यविशेषेण, मानुषेषु बाह्मणत्वादिवर्णविशेषेण, राजपुरुषेषु तत्प्रत्यासित्तिविशेषेण द्ण्डस्य लघुत्वं गुरुत्वं च कल्पनीयमित्यर्थः । विशेषशब्दा भेद्पराः ॥ २४२ ॥

# गाइटाव्टरीये. २४३ श्लोकः ।

२५ अनर्हत्वे हेतुं सूचयनाह । अनपराधिनमिति । अत एवाह । राजोति । अस्यानुषङ्गणोय जभयत्र मुख्य उपयोग इति तत्त्वम् । 'प्रमुश्चती'त्यस्य मध्यमणिन्यायेनोभयत्रान्वय इत्याह । यश्च बद्धमिति । अपाप्तव्यवहारमित्यस्यार्थमाह । अनिर्वृत्तिति ॥ २४३ ॥

# याज्ञवल्कीरे २४४ स्होकः।

पण्यस्य, विकेयस्य । योग्यतयाऽऽह । क्लंद्विति । अपिसमुचेयमाह । अन्यथा वेति । ३० मूले दिशतमिति बहुवीहिः । दण्डः अन्यपदार्थः । तत्फलितमाह । पणानां द्विशतमिति । अत्रापि बहुवीहिरेवं, समुहोऽन्यपदार्थं इति विशेषः ।

तुर्यपादं व्याचष्टे । अपहृतस्येति । क्र्टमानादिनाऽपहृतस्य अष्टमांशाद्प्यिकत्वे न्यूनत्वे । दण्डद्रव्यस्यापि दिशतादृद्धिर्हानिश्च कल्प्येत्यर्थः ॥ २४४ ॥

## याज्ञवल्कीये २४५ श्लोकः।

'मेषजति' इंदे गतिः पाग्वत् । गन्धशब्दोऽत्र ताहशद्रव्यवाची न तु गुणमात्रवाची, 'वहति जलमियं पिनष्टि गन्धानि'त्यादिषयोगादित्याह । गन्धद्रव्यमिति । तदिशिष्टं द्रव्य- ५ मित्यर्थः । हीनपदार्थमाह । असारेति ॥ २४५ ॥

# याज्ञवल्कीये २४६ श्लोकः ।

कि चिति । ईहरो विषयोऽन्योऽण्युच्यते इत्यर्थः । मूले वाससीति सप्तम्यन्तं, समाहारदंद इत्याह । न विद्यते इति । जातिरुत्कर्ष इत्याह । बिह्नित । तस्मिनिति । जातिरुत्यपृदादिके इत्यर्थः । नृतीयादिष्वित पुंवज्ञावान्नुमेति भावः । जातिकरणे इत्यस्य मुख्यजातेस्तत्र ब्रह्मणाऽपि १० दुष्करत्वात् सहेतुकमर्थमाह । विक्रयार्थमित्यादिना संपादने इत्यन्तेन । 'गन्धेत्यादिः ' दंदगर्भो मयूरव्यंसकादिः । जातीयस्य साहर्येत्यर्थः । उक्तमेवोदाहरणतो विशद्यति । यथेत्यादि । तदेकान्तत्वाभावात्सुगन्धेत्यत्र इत्वं न । आमलकं मृत्तिकाया एव बोध्यम् । गुणोत्कर्षेत्यर्थः । किचित्तथैव पाठः । एवमग्रेऽपि । कार्ष्णायसे इति । कृष्णायसो विकारादावित्यर्थः । पुनर्गन्धोन्दाहरणमाह । विल्वेति । रसोदाहरणमाह । कङ्कोले इति । प्रसिद्धदेवकुसुमव्यावृत्तये आह । १५ त्विगिति । तदसमध्ये तिन्नक्षेपेण तद्रसाभित्यकेरिति भावः । पुनर्वर्णस्योदाहरणमाह । कार्पासिके इति । तत्सूत्रनिर्मिते इत्यर्थः । विक्रयेत्यस्य व्याख्या पण्यस्येति । तत्स्वरूपमाह । आपादिते इति । वर्णान्तराद्यापाद्वेनापादितपग्ररागाद्यात्मकस्य स्किटकादेरित्यर्थः । यन्मूल्यं तस्मादिति शेषः॥ २४६॥ वर्णान्तराद्यापाद्वेनपापादितपग्ररागाद्यात्मकस्य स्किटकादेरित्यर्थः। यन्मूल्यं तस्मादिति शेषः॥ २४६॥

# याज्ञवल्कीये २४७।२४८ क्लोकी ।

करण्डकिमिति । 'समुद्रकः संपुटक ' इत्यमरः । (२।६।१३८) महाभाष्ये तु २० "नैतत् उब्जे रूपं िकं तूपसर्गद्वयपूर्वकाद्भिर-नेष्वपीति ड '' इत्युक्तम् । परिवर्ते भावे क इत्याह । परीति । परिवर्ते चेत्यस्यापि नयित इत्यज्ञान्वयः । अतस्तात्पर्यार्थमाह । योऽन्यदेवेति । अन्यदेवे त्यस्य व्याख्या । मुक्तानां पूर्णिमिति । शेषे षष्ठी । एवमग्रेऽपि । सारभाण्डमित्यस्य सरभाख्यम् ग-पश्वण्डोज्जविति । तदाह कस्तूरीति । अर्थाच्छेषमाह । कृत्वेति । वश्यमाणेति । भिन्ने पणे तित्यनेनैवेति भावः ।

तामेव कथयन् तत्पद्यमुक्तरीत्योक्तव्युक्तमेण व्याचि । क्रुत्रिमेति । आदिना तत्परिवर्तग्रहः । सूल्येति । वस्तुत इति भावः । भिन्नत्वमन्यत्वम् । तच्च देधा । तत्र वृद्धेविक्ष्यमाणत्वादाह । न्यूने इति । तात्पर्यार्थमाह । न्यूनेति । बहुवीहिः । एवमग्रेऽपि । तदाह । तस्मिनिति । ताहरो इत्यर्थः । पश्चाश्चत्पणेति बहुवीहिः । वाच्यार्थस्योक्तत्वात्तात्पर्यार्थमाह । पणेति । एवमग्रेऽपि । दिपणमूल्ये इति बहुवीहिगर्भो बहुवीहिः।

अनेनैव वृद्धेरुक्तत्वानुर्यपाद्वैयर्थ्यं परिहराति । इत्येविमिति । अनेन प्रकारेणेत्यर्थः । तथा चाधिकसंग्रहार्थं तिद्ति भावः ॥ २४७ ॥ २४८ ॥

१ मुद्राराशसे प्रस्तावनायां.

# याज्ञवल्कीये २४९ इलोकः।

विणज इति । समुद्तितान्यतीत्यर्थः । दोषस्य समुद्रायनिष्ठत्वात् । पूर्वे तु प्रत्येकं प्रति तहो-षेणोक्तमिति ततोऽस्य भेदः । वक्ष्यमाणोक्तेराह । राजेति । आनाधजनकत्वात्सानाधत्वमित्याह । पीडेति । उक्तहेतोरेनार्घमित्यस्यार्थमाह । अर्धान्तरिमिति । तत्करणे नीजमाह । लाभेति । यद्यपि मूलमतेऽशीत्यधिकसहस्रपणात्मक उत्तमसाहसस्तथापि विहिते इति वक्ष्यमाणोक्तेः— (अ.८।१३८)

"पणानां दे राते सार्धे प्रथमः साहसः स्मृतः । मध्यमः पञ्च विज्ञेयः सहस्रं त्वेव चोत्तमः॥'' इति मन्बनुरोधेन चाह । पणेति ॥ २४९॥

### याज्ञवल्कीरे २५० इलोकः।

१० समुदितान्प्रत्येवान्यद्प्युच्यत इत्याह । किं चेति । अर्थादाह । देशान्तरादिति । अनर्थेणेत्यत्र नञ् अल्पार्थे इत्याह । हीनेति । प्रार्थयमानाः, सन्तः । उपरुम्धन्ति, प्रतिबद्ध-विक्रयकं कुर्वेन्ति । यथास्थितविकये दोषाभावादाह । महोति ॥ २५० ॥

# याज्ञवल्कीये २५१ श्लोक:।

वर्तितव्यं, व्यवहर्तव्यम् । राजानि इति वटे गाव इतिवत्सामीपिकमधिकरणमित्याह । संनि-१५ हिते इति । अर्थादाह । यस्तेनेति । राज्ञेत्यर्थः । प्रत्यहामीति शेषः । मूले तस्योभयान्वयित्वात् । स्रवानिवर्तते इति नार्थः, तस्मादित्यस्यानन्वयापत्तेः । अत आह । निर्गत इति । स्रवपदार्थः अवशेष इति । अत एवाह । तस्मादिति । गौलस्यार्थौ राज्ञेति । तात्पर्यं सर्वमिति न्यायेनाह । स एवेति । एवव्यवच्छेद्यमाह । न पुनरिति । विणिगिच्छाकित्यतार्थाद्वशेष इत्यर्थः ।

मनुविरोधपरिहारं स्पष्टत्वात् इयेवानुसन्द्धान आह । मनुनेति । चस्त्वर्थे । पञ्चरात्रे २० इति । तथेत्यनेन अग्रेऽप्युभयत्र वीप्सा सूचिता । तथा चास्थिरार्घाणां पञ्चसु दिनेषु गतेषु, किञ्चित्स्थरार्घाणां पक्षे गते, स्थिरार्घाणां मासे गते सित राजा आप्तपुरुषैः एषामर्घविदां विणजां प्रत्यक्षं स्वसमक्षमित्यादि तद्याख्यातारः ।

एषां पूर्वोक्तानां सर्वपण्यानामर्थस्य व्यवस्थापनं प्रत्यक्षं स्वसमक्षं स कुर्यादित्यर्थ इत्यन्ये । '' तुलामानं प्रतीमानं सर्वं च स्यात्स्वलक्षितम् । षट्सु षट्सु च मासेषु पुनरेव परीक्षयेत् ।। ''

इत्यपि तेनोक्तम् (अ. ८ । ४०३) । 'पक्षे पक्षेऽथवा गते ? इति पाठान्तरं व्याख्याकृदादि-२५ सम्मतम् । अत्र वीप्सया दशसु दिनेषु मासे वा गते इति नार्थः, किंतु पञ्चदिनानन्तरं पक्षान्तर-मित्येवम् । वीप्सा तु अवश्यकर्तव्यतया यावज्ञीवं कर्तव्यतया च नित्यतां बोधयित " वसन्ते ज्योतिषा '' इतिवदिति भावः ॥ २५१ ॥

# गाम्बद्धिये २५२ रहोकः।

पूर्वोत्तरयो राजधर्मत्वेन मध्यमस्य असम्बद्धत्वाद्मामाण्यन्रिरासायाह । किं चेति । अर्घकरणे ३० विशेषान्तरमाहेत्यर्थः । स्वदेशेत्यत्र अर्शआयच् । तदाह । स्वेति । बहुवीहिर्वा । स्वदेश्येति पाठस्तु सुगमः।ततः 'तत्र भव ' इत्यर्थे (ब्या. सू. ४।३।५३) 'दिगादित्वा'यत् (ब्या. सू.४। ३।५४)

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एवमग्रेऽपि । शतमित्यस्य प्रतीति शेषः । तत्फिलितमाह । पणशते इति । परदेश्ये शाब्दोऽर्थ उक्तः । तत्फिलितमाह । प्राप्ते इति । परदेशात्माप्ते पण्ये त्वित्यर्थः । शतेति त्रिपदो बहुन्नीहिः । तुर्यपादोक्तमुभयोः शेष इत्याह । यस्येति । विणज इत्यर्थः । एतेन य इति व्याख्या-तम् । क्येत्यत्र द्वन्द्वान्मत्वर्थे इनिरित्याह । पणस्येति । सद्यःपदार्थो दिवसे इति । एतत्फिलितं वश्यमाणरित्याऽऽह । यः पुनिरिति ।

नन्वत्र विणिग्धर्मस्योक्तत्वेन राजानं प्रत्यनुक्तत्वात्किचेत्यसङ्गतिः, मध्येऽसम्बद्धत्वापत्तिश्च, अत आह । एवं चेति । उक्तार्थस्य शाब्दत्वे चेत्यर्थः । यथा, यादृशा । स्थापनीय इति । फालितमिति शेषः । अन्यथा परदेशविषये वक्ष्यमाणत्वेनात्रानुक्त्या न्यूनतेति भावः ॥ २५२ ॥

### याज्ञवल्कीये २५३ श्लोकः।

तदेवाह । परदेश्योति । यद्यप्यत्र सामान्येनार्घनिरूपणप्रकारः प्रतीयते इतीद्मवतरणम्युक्तं १० तथापि '' व्ययं पण्यसमुद्भवम् '' इत्युक्तः परदेशादानीयमानद्भव्यस्येव बहुव्ययसम्भवात्स्वल्पव्ययनाशे तथाक्षत्यभावात्तत्परत्वमेवास्येत्याह । देशान्तरादित्यादिना । भाण्डेति । तदुपयोगिपात्रादिग्रहणेत्यर्थः । अर्थः, द्रव्यव्ययः । द्रव्यं पणस्योपरीत्यस्यार्थमाह । पण्यमूल्यनेति । प्राग्रुक्तैकवाक्यतयाऽऽह । यथेति । अनुग्रहकृदित्यस्यार्थमाह । अनुग्रहकार्यर्थ इति । कार्य इत्यस्यार्थः ।
स्थापनीय इति । मनुरपि—( अ. ८ । श्लो. ४०१ )

'आगमं निर्गमं स्थानं तथा वृद्धिक्षयाद्युमौ । विचार्य सर्वपण्यानां कारयेत्क्रयविक्रयौ ॥''इति ॥२५३॥

# अथ विकीयासम्प्रदानप्रकरणम् २१ ।

इति प्रासंगिकप्रकरणम् ॥

सङ्गितिमाह । प्रासिङ्गिकामिति । विक्रयमसङ्गादाह । अधुनिति । मूल्येन, तस्य प्रहणेन । २० केतुरिति सम्बन्धे षष्ठी । एवमग्रेऽपि । तत्र प्रारम्यमाणे विवादपदे । घटकत्वं सप्तम्यर्थः । चराचरिति । जङ्गमस्थावरेत्यर्थः । पुनरिति । यथासम्बन्धे षष्ठी । दिविधस्य तस्येत्यर्थः । तेनैय, नारदेनैव । तस्य त्विति। तस्य दिविधस्य बुधैर्मन्वादिभिर्दानादानयोविधिकमो विधानक्रमः करणप्रकारो यथासम्भवं षड्डिधः कथित इत्यर्थः । कल्पतरौ तु—

" लोकेऽस्मिन् द्विविधं पण्यं जङ्गमं स्थावरं तथा । ऋयविऋयधर्मे तु सर्वे तत्पण्यमुच्यते ॥" २५ " षड्विधस्तस्य तु बुधैर्दानादानविधिः स्मृतः "—इति पाठः । तदेवाह । गणितमिति । संज्ञाशब्दा एते । रूपत इति वृतीयान्तात्तासिः । कर्पूरेति । कुंकुमादीति पाठान्तरम् । अनन्वय-निरासायाह । उपलक्षितमिति । एवमग्रेऽपि उभयत्र । पण्याङ्गना वेश्या । आदिना वस्नादि ।

# याज्ञवल्कीये २५४ श्लोकः।

उक्तसङ्गत्या मूलमवतारयित । **एतिदिति ।** तस्य तत्त्वेन विवक्षायां षष्ठी तत्रेत्याह । केत्रे इति ।

वृतीयपादार्थमाह । तचिति । अल्पेति कर्मधारयः । अर्घो मूल्यम् । अर्थादाह । पण्य-मिति । पाग्वत् तस्येत्यस्यार्थमाह । क्रेजे इति ।

तस्यैवान्यथाऽर्थमाह । यद्गेति । यावदित्यस्य प्रतिपन्नमित्यवान्वयः । यतः यस्य । प्रतिपन्नमिति । निश्चितमित्यर्थः । तावदेवेति । अस्तिति शेषः । " किं तु " इत्यस्यावान्वयः । अत्रैव पक्षे उद्याशे पक्षान्तरमाह । द्विकमिति । अनयोर्व्यवस्थामाह । केतृवाञ्छेति । आवहेत्, द्वात् । अत्र अवहानिः उक्तस्याप्युपलक्षणम् । स्थानिनां, स्वदेशमात्रस्थितिकानां विणजाम् । अत इनीति इनिः । 'स्थायिनामिति ' कत्यतरौ पाठः ।

विशेषमाह । यदा त्विति । उपभोगस्वरूपमाह । तदाच्छादनेति । सूल्येन, तद्ग्रहणेन । स्थावरस्य, गामक्षेत्रादेः । जङ्गमस्य, गवादेः । क्रियाफलं, दोहादेः क्षीराद्किम् ।

१० यत्तु क्षयं सस्यायुपपातजापक्षयामिति कल्पतर्वाद्रः तन्न पौनरुक्त्यापत्तेरित्याह । विकेतारिति । नतु तस्य तत्त्वं विरुद्धम्, अत आह । क्रेत्रिति । तावत्पर्यन्तं तत्सम्बन्धस्य तत्र क्षीणत्वात्तेदेशिष्ट्येन तस्यापि क्षीणत्वामिति भावः । 'क्षय १ इत्यत्र कर्मण्यच् । नारदमाह । उपहन्येतेति । इत्यत्रेति । इत्यनेनेति पाठान्तरम् ।

वस्तुतस्तु ' क्षि निवासगत्योः' इत्युक्तेः 'क्षयो निवासे' इत्युक्तेश्वायं निवासार्थक इति न कोऽपि १५ क्वेश इति बोध्यम् ।

मौलं तुर्यपादं व्याचष्टे । यदा त्विति । तत्रोभयत्र सप्तमीपश्चमीसमासावित्याह । देशा-

वक्ष्यमाणैतद्वान्तरप्रकरणसङ्गत्यर्थमाह । अयं चेति । क्रीतस्य पण्यस्य समर्पणेत्यर्थः । मनूक्तमिति । क्रयविकयानुशयाख्यविवाद्मकरणे इति भावः । एवं च मनुना तेनैवास्य २० कथितप्रायत्वादिदं पृथङ्नोक्तमिति बोध्यम् ।

"यस्येहानुशयो भवेत् । सोऽन्तर्दशाहे तद्भव्यं द्द्याचैवाद्दीत वा ॥ " ( अ. ८ ।२२२ ) इति तच्छेषः ॥ २५४ ॥

## याज्ञवल्कीये २५५ श्लोकः।

अत एवानुशयेऽन्यद्प्युच्यते इत्याह । किं चेति । तदेवाह । जातेति । पूर्वेत्युभयञ्चान्वयि । २५ तत्राये घातोस्तादिच्छायां लक्षणेत्याह । जिघृक्षतीति । अजातानुशये आह । यदा पुनारिति । आलस्यादिरमहणे हेतुः । अञ्च न लक्षणेति भावः ॥ २५५ ॥

# याज्ञवल्कीये २५६ श्लोकः।

अपि चिति पाग्वत् । एवमशेऽपि । अपिना जातानुशयसमुमयः । राजदैवे इद्मर्थेऽण् इति फलितमाह । राजेति । तात्पर्यार्थमाह । अत इति । अस्माद्धेतौरित्यर्थः ॥ २५६ ॥

## याइवल्कीये २५७ श्लोकः।

किञ्चेति पाग्वत् । जातानुशये मनूकत्वादाह । विमेवेति । अन्यस्येति । एकस्येति पाठान्तरम् । पुनः, पश्चात् । अर्थादाह । अन्यस्येति । अदुष्टवदिति वत्यन्तस्यार्थमाह । प्रच्छादितेति । तदेति । 'तत्रेति ' शेषो मोल एव । 'विकेतरीति 'तद्र्यः । अत्र, उक्तविषये । अपिभिनकमः । विशेषोऽपीत्यर्थः । अपिनोक्तसमुचयः । मूले मूल्यांशे न्यूनाधिकभावानुक्त्वेन समताप्राप्तौ तत्र हैगुण्यरूपो विशेषः, द्ण्डांशे हैगुण्यं तु तुल्यमेवेति भावः । यद्दा यथाश्रुत एवापिरन्यमुनिसमुचायकः । विनयं, दण्डम् । तावत्, अव्ययमिद्म् । तावन्तमेव हिगुणमेव ।

विशेषमाह । सर्वत्रेति । न त्वन्यविहतोक्ते एवेति भावः । अयं विधिः, सकलदण्डिविधः । अद्तो, पण्ये ॥ २५७ ॥

# याज्ञवल्कीरे २५८ श्लोकः।

अवान्तरप्रकरणसमाप्तिमाह । इति विक्रयेति । न्यूनतां पौनरुत्तयं च परिहरति । क्रीतोति । क्रयेत्यर्थः । भावे कः । परिक्षाया अभावेऽनुशये दोषाभावादाह । परीक्षितेति । कर्मधारयौ । क्रीत्वेत्यस्यार्थः । क्रयोत्तरेति । परिमाणमर्थान्मृल्यस्य विशेषणेन व्यावर्त्यतया बोधितमर्थमाह । १० वृद्धीति । निषेषस्य शाब्दत्वेन तद्सम्भवादाह । व्यतिरेकादिति । भेदादित्यर्थः । पूर्वमुक्तमपि पुनः अभिप्रायं वक्तुमाह । अनुश्येति । चस्त्वर्थे । क्रीत्वेति । व्याख्यातिमद् पाक् । विशेषपरिहारमपि पागुक्तमेव तथा आह । अपरीक्षितेति । अपरीक्षितवस्तुक्रयेत्यर्थः । द्शैकेति । मानविमद्म् । उक्तफलितार्थमुपसंहरति । तदिति । तस्मादित्यर्थः । अनया, क्षयं वृद्धिं चेति विशेषयितयेत्यर्थः । अभिप्रायमेव प्रकाशयित । यथेति । दोषाणामिति । अनुशयकारणत्वमव- १५ गम्यते इत्यस्यानुषंगः ।

तुर्यपादार्थमाह । अत इति । तेषां तस्य च तत्कारणत्वादित्यर्थः । तत् म्ल्येत्यर्थः । स्रयेति । एतद्भूपकारणत्रितयेत्यर्थः । अनुरायकालेति । नारदोकानुरायकालादिमध्येऽपीत्यर्थः । पूर्वसाम्यप्रदर्शनसाफल्याय तुल्ययुक्तयाऽऽह । अनुरायकारणेति । एतत् पसंगेन विशेषमाह । उपभोगनेति । अनेन पण्यदोषाभावः सूचितः । स्थिरेत्यनेन वृद्धिक्षयाभावः सूचितः । परेणेति । २० क्रीत्वा विक्रीयेति शेषः । न दद्यात्, न त्यजेत् । दापयेत्, विकेता बलेन न ग्राहयेत् । विक्रीतं बलेन गृह्णन् परित्यजंश्चेत्यर्थः । षद रातानि, पणान् ॥ २५८ ॥

इति विकीयासम्पदानपकरणम् ।

अथ सम्भूयसम्रत्थान प्रकरणम् ॥ २२ ॥

२५

समयपसंगादाह । संभूयोति ।

# याज्ञवल्कीये २५९ इल्लोकः।

सम्प्रतिपत्तिरिति । निश्चय इत्यर्थः । वणिजामित्युपलक्षणिमत्याह । वणिङ्निति । द्वितेष्ट्रणाद्व र्थमाह । लाभेति । लभ्यत इति लाभस्तलाभेच्छयेत्यर्थः । लिप्पव इति पाठान्तरम् । तथा सन्वेऽपि तस्य प्रत्येकसाध्यत्वादाह । रातिस्विकमिति । यथाद्रव्यमिति योग्यताया- ३० मध्ययीभावः । तदाह । येनेति ।

तुर्यपादार्थमाह । यद्वेति । कृतावित्यस्यार्थः । संप्रतिपन्नाविति । अर्थादाह । तथेति । एवं प्रामणि ॥ २५९ ॥

# याज्ञवल्कीये २६० इलोकः।

अन्यद्प्याह । किं चेति । तथा, यनाशितम् । प्रमादादित्यस्य व्याख्या प्रज्ञाति । चो वाऽर्थे इत्याह । वेति । तथा च नाशितमित्यस्य सर्वत्र सम्बन्ध इति भावः । विणागभ्यः, स्वसम-वायिभ्यः । अत एव प्रातिस्विकमिति प्रागुक्तम् । विष्ठवाचेत्याद्यर्थमाह । य इति । विष्ठवार्थमाह । व्यसनादिति । नाशादित्यर्थः । स्वराक्त्येति भावः । इद्मधिकम् । तस्य ततो लाभादि तु प्रागुक्तमेव । तथा नारदोऽपि, (अ. ३। श्लो॰ ६)

" दैवतस्करराजािबयसने समुपस्थिते। यस्तत्स्वशक्त्या रक्षेत्तु तस्यांशो दशमः स्मृतः" ॥ इति ॥२६०॥

# याज्ञाल्कीये २६१ व्लोकः।

एवं तेषामुक्त्वा राज्ञ आह । अर्घेति । मनुरिष, (अ. ८ । १छो. ३९८ । ३९९ )
१० " ग्रुल्कस्थानेषु कुश्लाः सर्वपण्यविचक्षणाः । कुर्युरर्घं यथापण्यं ततो विंशं नृपो हरेत् ॥
" राज्ञः प्रख्यातभाण्डानि प्रतिषिद्धानि यानि च । तानि निर्हरतो छोभात्सर्वहारं हरेन्नृपः ॥'' इति ।
अर्घस्योति । तस्येति पाठान्तरम् । हेतौ पञ्चमीत्याह । हेतोरिति । असौ, नृपः ।
ग्रुल्कमित्यस्यार्थः ग्रुल्कार्थमिति । करार्थमित्यर्थः । पूर्वणापौनस्कत्यायाह । प्रतिषिद्धामिति ।
राजगामित्वे विकीतत्वं दोषो हेतुरित्याह । छाभेति । अन्यवेति शेषः । अत एव फलितमाह ।
१५ मुल्योति । सर्वं, हिविधम् ॥ २६१ ॥

### याज्ञवल्कीये २६२ इलोकः।

अथ दण्डमाह । मिथ्योति । राजदण्डे बीजमाह । शुरुकेति । शुल्कपदं लाक्षाणिकमित्याह । शुरुक्याहणोति । ऋयश्च विकयश्च ऋयविक्रयौ, व्याजो विवादस्तत्साहितस्य पण्यस्य तौ, ततो मत्वर्थे इनिरित्याह । यश्चेति । मनुरपि, (अ. ८ । ४००)

२० "शुल्कस्थानं परिहरन्नकाले कयविकयी । मिथ्यावादी च संख्याने दाप्योऽष्टगुणमत्ययम् ''।। इति ॥ २६२ ॥

# याज्ञवल्कीये २६३ श्लोकः।

द्ण्डान्तरमाहत्याह । अपि चेति । वचनं व्याख्यातुमुपोद्यातमाह । शुल्कं हीति । मूलमाह । अर्घपक्षेपणादिति । पणिमिति । तरे नौकादौ । यानं, रिक्तशकटादिकं प्रतिपणं २५ दाप्यः । पौरुषे पुरुषभारविषये तरेऽर्द्धपणं दाप्यः । पशुर्गवादिः, योषित् वश्यमाणिभन्नस्नीमात्रं, पादं पणचतुर्थोशं दाप्यः । रिक्तकः भाररहितः, पुमान् मनुष्यः, पादार्धे पणाष्टमभागं दाप्यः । भाण्डं पण्यद्रव्यं तेन पूर्णानि यानानि शकटादीनि सारतः द्रव्यगतोत्कर्षापेक्षया तार्यं तरणमूल्यं दाप्यानि । रिक्तभाण्डानि पण्यद्रव्यरहितानि गोण्यादीनि अपरिच्छदा द्रिद्राश्च उक्तपाद्वीर्धदानापेक्षया यत् किंचित् द्रापनीया इत्यर्थः । किं च—

३॰ "दीर्घाप्यनि यथादेशं यथाकालं तरो भनेत् । नदीतीरेषु तदिवात्समुद्रे नास्ति लक्षणम् ''॥ इति मनुः । (अ. ८।४०६)

पूर्व पारावारे तरणार्थमुक्तम् । इदानीं नदीमार्गेण दूराध्वनि गन्तव्ये प्रवळवेगस्थिरोदकनद्यादि-देशग्रीष्मवर्षादिकाळापेक्षया तरमूल्यं कल्पनीयम् । एतच नदीतीरे बोध्यम् । समुद्रे तु वाताधीन-पोतगमनत्वात्स्वायक्तत्वाभावेन तरपणविशेषज्ञापकं नदीवद्योजनादिकं तत्र नास्ति, ततस्तत्रोचितमेव तरमूल्यं ग्राह्यमिति तद्याख्यातारः ।

शुल्कद्भयेऽपि स्थलने जलने च। न भिक्तेति। मानवं वासिष्ठं चेद्म्। भिक्तो प्रन्यूनः कार्षापणो मूल्यं यस्य वस्तुनस्तत्तथा तिनिमित्तः शुल्कोऽपि भिन्नकार्षापणः। तेन कार्ष-पणाद्वीग्यस्य मूल्यं तस्य शुल्को न माह्य इत्यर्थः। शुल्कशब्दः अर्द्धचीदिः । शिल्पं वृत्तिर्यस्य तत्र । भैक्षे वृत्तं वर्तनं जीवनं यस्य तत्र । भैक्षलब्धे इति पाठान्तरम्। हतादवशेषो यस्य तत्र । यज्ञस्तद्वपकरणं, दीक्षितो वा, तत्र गन्तुकामो जनसमूहो वा । मनुरपि—(अ.८। श्लो॰ ४०७) "गर्भिणी तु हिमासादिस्तथा प्रविजतो सुनिः। बाह्मणा लिङ्गिनश्चेव न दाप्यास्तारिकं तरे ॥" इति । १०

सञ्जातगर्भा स्त्री मासद्वयादूर्ध्वं, तथा पन्नजितो भिक्षुर्मुनिर्वानपस्थः न्नाह्मणाश्च लिङ्गिनो नह्मचारिणश्च । एते मूल्यं तरे न दाप्या इत्यर्थः ।

अथ मूलार्थमाह । तीर्यत इति । स च शुल्के लाक्षणिकः । ततः अत इनीति उन् । तत्फालितमाह । तज्जन्येति । वेश्मेति । तं प्रतीति सामीप्येऽन्ययीभावः । तदाह । स्ववेश्मे-ति । गृहमिति शेषः । तत्रोति । 'अन्ययीभावाचेति ' (न्या. सू. ४ । ३ । ५९ ) न्यपत्यय १५ इति भावः । विशेषानाह । श्रुतेत्यादि ॥ २६३ ॥

### याज्ञवल्कीये २६४ श्लोकः।

प्रेतपद्। थीं मृत इति । द्रव्यपदं योग्यतया विशेषपरिमत्याह । तदीयमंशिमिति । तिद्त्यस्य तत्रान्वय इति भावः । यद्यपि दायाद्शब्दोऽन्यत्राप्यस्तीति प्रागुक्तं तथापि 'ब्राह्मण-विसिष्ठ'न्यायेनाह । पुत्रेति । मातृपक्षे भवाः । 'दिगादि'तैवाद्यत् । सपिण्डेति । सगोत्रसपिण्डे- २० त्यर्थः । आदिना सोद्कादिः । तैरित्यनेन सर्वपरामर्श इत्याह । दायादेति । चस्त्वर्थे । एवमग्रेऽपि । वैकल्पिकिमिति । न तु युगपदिति भावः ।

नन्वेवं क्रमे नियामकाभावेनैच्छिकविकल्पापत्तौ वीहियवादिवत् "पत्नी दुहितर " इति क्रमबोधकवचनविरोधापत्तिः, अत आह । पौर्चापर्येति । तथा च व्यवस्थितोऽयं विकल्पो न स्वैच्छिकः । व्यवस्था च पत्नी दुहितर इति बोधितपौर्वापर्यावाधेन ज्ञेयेति भावः ।

नन्वेवं सित फलाभावाद्देशान्तरेति नारभ्यम्, अत आह । शिष्यिति । "गोत्रजा बन्धु-शिष्य " इत्यनेन " सर्वेषामण्यभावे तु " इत्यनेन च क्रमेण पितपादिताधिकारित्वकशिष्यादि-निवृत्तिः, विणजस्तत्रानुकृत्वेन तत्पाप्तिश्च एतद्दचनप्रयोजनिमत्यर्थः । अतः पुत्रादिबन्धुपर्यन्ताना-मभावे संभूयकारिणो विणजो गृह्णीयुरिति भावः ।

तत्र विशेषमाह । वणिजामपीति । पिण्डदातृत्वस्य तद्व्याप्यत्वस्य पागुक्तत्वादाह । ३० क्रणेति । ऋणं प्रतिकुर्युरित्यनेनेदमुकं पाक् । आदिना दत्तऋणोद्धारपरिष्रहः ।

विशेषान्तरमाह । सामर्थ्येति । विभज्य ग्रहणे हेतुं सूचयनाह । संसृष्टिन इति । यद्यपि नात्र मुख्यं संसृष्टित्वं तथापि तेन न्यायेनात्रापि तथैवेति भावः ।

. ह्या. स्ट. (४ | ३ | ५४)

विशेषान्तरमाह । तेषामपीति । दशवर्षीमिति बहुवीहिः । तिद्दिमिति । दशवर्षपर्यन्तं स्थापनमित्यर्थः । एकस्येति । संभ्य कर्म कुर्वतां विणिजां मध्ये यद्येकस्य मरणं भवेत् तद्गऽस्य मृतस्य तद्दस्तु दायादः पुत्रादिः बन्ध्वन्तो जनः पूर्वपूर्वाभावे उत्तरोत्तर आप्नुयात् । दायादे उक्तस्ये असति अन्यो विणिग्वा शक्तश्चेत् ऋणदानादिसमर्थश्चेदामुयात् । एकस्य तत्रासामर्थ्यं सर्वेषां च सामर्थ्ये ताहशाः ते विणिजः सर्वे एवाप्नुयुत्तियर्थः । तद्भावे विणिजामभावे । गुप्तं रक्षितं, तत् तदीय-धनं, ततः तावत्पर्यन्तस्थापनोत्तरमस्वामिकत्वादिविशिष्टम् । तत् धनं राजा स्वीयं कुर्यात्, एवं सित न धर्मस्य हानिरित्यर्थः ॥ २६४ ॥

### यार्टाट्यारे २६५ श्लोकः।

वणिजं प्रत्यत्यद्प्युच्यते इत्याह । किं चेति । 'निर्गतलाभामिति ' बहुवीहिः । तस्या-१० प्यर्थमाह । **लाभमिति ।** तमदत्त्वेत्यर्थः । सम्भूयकारिण इति शेषः । अशक्त इत्यस्यार्थमाह । संभूयेति । भाण्डेति । भाण्डस्य भारः संरक्षणादिक्षः तस्य वहनमित्यर्थः । तत् भाण्डम् । नार्वोऽपि (अ. ३ । श्लो० ४)

'' भाण्डपिण्डव्ययोद्धारभारसारान्ववेक्षणम् । कुर्युस्तेऽव्यभिचारेण समये स्वे व्यवस्थिताः॥" इति । भाण्डं विकेयद्रव्यम् । पिण्डः पाथेयम् ।

( उत्तरार्घः )

प्रागिति । प्रकरणारम्भे इत्यर्थः । आदिशाह्यं वचने एव स्फुटम् । अनेनेत्यस्यैतत्प्रकरणादौ उक्तेनेत्यर्थः । अन्यथा असंभवात् । तदाह । लाभेति । श्रुतिक्रमेणाह । होत्रेति । कर्षकपदार्थ- माह । क्रुषीति । कर्मिपदे अत इनीतीनिः । तद्र्थमाह । नटोति । कर्मपदार्थमाह । शिल्पेति । तत्र च तेषां मध्ये च । श्रुतिविहितद्क्षिणया विभागप्रकरणस्य मनूक्तत्वाहक्षिणापापकं वचनमाह । २० तं शतेन दीक्षयन्तीति । पूर्व गवां प्रस्तुतत्वात् शतेन गवां शतेन तं यजमानं अध्वर्ध्वाद्यो दीक्षयन्तीत्यर्थः । यतो दक्षिणाप्रहणेन यजमानायत्ताः भवन्ति ।

नतु जतो दीक्षोद्देशेन गोशतग्रहणं प्रतीयते न दक्षिणाया विधिः, तत्कथं दक्षिणापापकपिद्म, अत आह । इति वचनेनेति । अयं भावः । यथा भुजिकियासाध्ये तृप्त्यात्मके कार्ये
पयसा तृतिं कुर्वतिति पयोद्रव्ये विहिते तत्पयो भोजनसाधनस्यौद्मस्य स्थाने निपतित तथाऽत्रापि
२५ दीक्षयन्तीति णिजर्थभूतं दीक्षाकरणम् ऋत्विजामानतिरूपं दक्षिणादानस्य कार्यं, तेषामानतिर्नश्रभावः स्वायत्ततेति यावत् । भृतिं गृहीत्वा भृत्या इव दक्षिणां गृहीत्वा स्वायत्ता भवन्ति
हि ऋत्विजः । तिस्मन् तेषामानतिरूपे दक्षिणादानस्य कार्ये गोशतं विधीयमानं दक्षिणादानरूपव्यापारसाधनभूतदक्षिणायाः स्थाने निपततीत्यर्थाद्रोशतमेव दक्षिणा भवतीति दक्षिणापापकिमिदं
वचनमिति गोशतं दक्षिणात्वेन विधीयत इति ।

३० अथ मानवं व्याख्यातुमनतारयति । ऋत्विजञ्चोति । तत्र तेषां मध्ये गोशते वा । इदं मानवम् । अथ व्याच्छे । सर्वेषामिति । उक्तरीत्येवाह होत्रेति । बहात्वस्योभयसाधारण्यादाह । ब्रह्मोति । शतार्धत्वस्य पञ्चाशति सत्त्वात्त्येष विभागपाप्ती आशयं प्रकाशयन् विशेषमाह । सर्वेषां भागेति । भागस्य विभागस्य यत्परिपूरणं तद्रथं योपपत्तिस्तस्या वशेन तद्धीनतया तद्वुरोधेनायातः पाप्तश्चासावष्टचत्वारिशद्भपश्चासावर्धश्च तेन, धान्येन धनवानितिव वृतीय , सामान्यविशेषयोरभेदान्वयः ।

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तद्रपार्थभाज इत्यर्थः । एवमग्रेऽपि । मत्वर्थीय इनिः सर्वत्र । प्रकारान्तरेण दक्षिणाविभागस्य कर्तुम-शक्यत्वादीषक्यूनत्वेऽपि सामीप्येन तद्भहणिमति भावः । तच्छव्देन श्रुतानुमितयोरिति न्यायेन श्रुतपरा-मर्शस्येवीचित्यादाह । मुख्यांशस्येति । अष्टाचत्वारिंशद्रूपस्येत्यर्थः । एतेनावशिष्टद्विपञ्चाशद्रृपस्येव कुतो न परामर्श इत्यपास्तम् । उक्तरीत्या स्थलद्दये निर्वाहेऽप्यन्ते अनिर्वाहाच । 'तृतीयिनः पादिन ' इति तयोः श्रौती संज्ञा । योगोऽपि उक्त एव । मानवे तृतीयांशा इति बहुवीहिः । एवमप्रेऽपि । तत्फलितमाह । सुख्यांशिति । पत्यासत्तेरिति भावः । एवमप्रेऽपि । षोडशगवरूपेति पाठः । गोरूपेत्यपपाठः । एवं द्वादशगवरूपेत्यत्रापि । अयं मनूक्तः । वृहस्पतिरप्येवमेव ।

तत्र मुलोक्तप्रकारद्दयाविषयत्वमाह । न तावदिति । नापीति च । प्रधानस्याधिकांशोऽन्येषां न्युनन्युनतरन्युनतमांशा इति न समयः कृतः। नाप्येकेन द्शान्येनाष्टावन्येन षडित्यादिक्रपेण वाणिज्ये इव द्रव्यसमवायः कृत इत्यर्थः । **नापि वचनं**, श्रीतम् । यद्वशात् यद्वलात् । अतः, १० परिशेषात् । युक्तमित्यत्रान्वयः ।

द्शमतृतीयपादाधिकरणं " समं स्याद्शुतत्वात्" इति । ज्योतिष्टोमे श्रूयते गावश्चाश्वाश्वाश्व-गर्दभाश्वाजाश्वावयश्व बीहयश्व यवाश्व तिलाश्व माषाश्व तस्य द्वादशशतं दक्षिणेति पूर्वतराधिकरणे गवां द्वादशशतमितराण्यश्वादीनि च दक्षिणेति उपपादितम् । पूर्वाधिकरणे त्वियमेव दक्षिणा विभाज्येत्यप्युक्तम् ।

तत्र स्थिते विभागे चिन्ता, किं समो विभाग उत प्रयासानुरूप उतार्धिन इत्यादिसमाख्यानु-रूप इति संशयः। तत्र विशेषाश्रवणात्समो विभागः सर्वेषामृत्विजां स्यादिति माप्ते सिद्धान्त्येकदेशी आह । लोकवत् । प्रयासानुरूपेण विभाग इति । तद्भिपेत्योभयं शङ्कक आह । समामिति । विशेषा-श्रवणात्सममित्यर्थः । सर्वेषाम्, ऋत्विजाम् । कर्मेति । ऋत्विजां स्वस्वकर्मणि वैषम्यात्कर्मानु-रूपेणेत्यर्थः । अथैवं प्राप्ते तत्र सिद्धान्ती आह । द्वाद्शाहे दीक्षाक्रमनाक्ये अध्वर्धुर्गृहपतिं दीक्ष- २० यित्वा ब्रह्माणं दीक्षयति तत उद्गातारं ततो होतारं ततस्तं प्रतिपस्थाता दीक्षयित्वाऽर्धिनो दीक्षयति ततस्तं नेष्टा दीक्षयित्वा तृतीयिनो दीक्षयित ततस्तमुनेता दीक्षयित्वा पादिनो दीक्षयतीत्येनविधा अर्घ्यादिसमाख्याः श्रूयन्ते । अतस्तद्दशात् बाह्मणाच्छंसिप्रभृतीनां तदनुरूपो विभागो दाद्शाहपकृतौ ज्योतिष्टोमेऽध्यवसीयते इति । तदि्मं सिद्धान्तं अवलम्ब्याह । ज्योतिष्टोमप्रकृतिके इति । कदेत्याकांक्षायामाह । चदीति । तत्, द्वाद्शाहः ।

उपसंहरति । अत इति । श्रुत्यादीनि षट् प्रमाणानि शेषत्वबोधकानि । समास्या नाम यौगिकसंज्ञा । ज्योतिष्टोमिवक्वतिभूते द्वाद्शाहेऽर्धिन इत्याद्यः समाख्याः श्रूयन्ते । अतः समाख्या-रूपममाणबलात्तत्पकृतौ ज्योतिष्टोमे तथैव दक्षिणाविभागः कार्यः। अन्यथा विकृतौ दादशाहेऽधिन इत्यादिसिद्धानुवादो न स्यात् । तथा च विकृतिगतसामाख्यान्यथानुपपत्त्या प्रकृतौ प्राग्रुकद्क्षिणा-विभागावसाय इत्यर्थः । तदुक्तं " तथो वो विश्ववेदा विभजतु " इति । तां यजमानश्चतुर्धा कृष्णा- ३० जिनेन न्युत्रास्य चतुर्थमध्वर्युभ्यो विभजति, यावद्ध्वर्यवे द्दाति तस्यार्धे प्रतिप्रस्थात्रे, तृतीयं नेष्ट्रे, चतुर्थमुचेत्रे, एतेनेतरेषां दानमुक्तमिति ॥ २६५ ॥

इति संभूयसमुत्थानं नाम प्रकरणम् ।

# अथ स्तेयप्रकरणम् ॥ २३ ॥

महाप्रकरणसंगत्याऽऽह । इदानीमिति । चस्त्वर्थे । मानवं व्याचष्टे । अन्वयवदिति । मतुवन्तिमिद्म् । अप्रे अन्वयः संबन्धः, स चक्षुरादेविविक्षित इत्याह । द्रव्यति । द्रव्यस्वामीत्यर्थः । कर्मपदार्थमाह । परेति । आदिना साधारणद्रव्यहरणम् । दंदोऽयम् । कृतिमिति । स्तत्वमिविक्षित-मित्याह । कियते इति । अतस्तत्र स्तेयदण्डो न कार्यः । एतद्र्थमेव प्रकरणभेद् इति भावः । तद्ग्रह । स्तेयं त्विति । तत्, साहसात् । आदिना राजाध्यक्षादि । बलावष्टम्भो नात्रेत्याह । वञ्चियत्वेति ।

कृत्वा याचिह्नुते भयादिति तुर्यपादपाठं व्याचष्टे। यञ्चेति। अपिना निरन्वयसमुचयः। परधन-हरणादिकमिति शेषः। कृत्वा निह्न्यते च यदिति पाठान्तरम्। कृत्वाऽपव्ययते च यदिति तु प्रचुरः पाठः। तदाऽयं तात्पर्यार्थों बोध्यः। अपव्ययते संवृणोति आच्छाद्यतीति यावदिति तु शाब्दोऽर्थः १० व्येञ्संवरणे इत्युक्तेः। वश्चयित्वेत्यस्य समूलत्वं ध्वनयन्त्स्तेयलक्षणांशे मानान्तरमप्याह। नारदेना-पीति। एषां द्रव्यस्वामिनां सुप्तादीनाम्। कर्मणि शेषे षष्ठी। छलेऽन्वयः। द्रव्यस्येति शेषः। सुप्तादेरपकर्षणेऽन्वयः।

मूलमवतारयति । तत्रेति । प्रारभ्यमाणे स्तेये इत्यर्थः । **ज्ञानेति ।** तस्करत्वज्ञानेत्यर्थः ।

## याज्ञवल्कीये २६६ श्लोकः।

१५ यद्यपि योगिना प्राहकग्राह्यत्वमेव तत्रोपाय उक्तस्तथापि तत्रापि निमित्तमाह । य इति । राजपुरुषाश्च स्थानपालाश्चेति दृंदः । लोप्त्रपदार्थमाह । अपहृतिति । गृह्यते इति लेडित्याह । यहीतव्य इति । अपहारतो नष्टं वस्त्रादिर्यस्य गृहे हस्ते वा दृश्यते तेन चिह्नेन स पुरुषो ग्राह्य इत्यर्थः । अथशब्दार्थमाह । वेति । पदेन वेति व्याचष्टे । नाशेति । पूर्वकर्म चौर्याख्यमेव । सूम्नि इनिरित्याह । प्रागिति । अत एव परिग्रहः । वास इति । उष्यतेऽस्मित्निति वासो निवासः । २० पुंस्ययम् । तदाह । स्थानमिति । न तु वासस्थानमित्येकं पद्मिति भावः । तथा चेति समुचये इत्याह । सोऽपीति ॥ २६६ ॥

# याज्ञवल्कीये २६७।२६८ श्लोकौ।

तत्र उपायांतरमाहेत्याह । किंचोति । केवलमवधारणे शंकायाम् । जातिनिह्नवादे हेतुत्वमित्याह । वश्योति । तान्येवाह । जातीति । निह्नवपदस्य प्रत्येकं संबंधः । डवित्थे इति याद्द२५ च्छिकी संज्ञा । देशो व्यापकः, प्रामो व्याप्यः । उपलक्षणे इयं तृतीयेत्याह । लक्षिता इति ।
द्यूतिति । तत्र दंदोत्तरपदको दंदः । समभिर्होरात् स्त्रीविशेषरूपा न तु सामान्यभूतेत्याह ।
द्यूतपण्यांगोति । इद्मुपलक्षणमित्याह । आदीति । अत्र कारणमुक्तं कुतस्त्योऽसीत्यादिना । नतु अत्र द्योरेवोक्तत्वाज्ञात्या सर्वप्रहणे सिद्धे व्यक्त्याशयेन बहुत्वस्यानुपयोगाद्वहुवचनासंगतिश्व अत आह । बह्विति । तथा च प्रकृतिरन्येषामण्युपलक्षणम् । अर्थची इतिवद्देति । तदि३० वक्षाया बहुवचनम् । अत एव प्रकृतिपत्ययविरोधाऽपि नेति भावः ।

१ लवित्य इति हित्य इति च मिताक्षरापाठौ । २ तात्पर्यार्थमाहानीति ।

अनितप्रसंगायाह । निष्किति । गृढं यथा तथा चरंतीति शाब्दोऽर्थस्तत्फिलितमाह । वेषांतरेति । गृढेति । आच्छाद्यित्वेत्यर्थः । आवश्यकव्ययेऽदोषादाह । विह्निति । भूभि तत्र मतुप् । विनष्टद्रव्याणि विक्रीणते इति पचाद्यच् । गंगाधरवत्तत्फिलितमाह । ये चेति । विक्रायकाः तत्कर्तारः ण्वुलन्तम् । शंकयेत्यस्यवाप्यन्वय इत्याह । चौर्यसमिति ।

वक्ष्यमाणसंगतये तत्सूचितमेव विशेषमाह । **एवमिति । नानेति । ब**हुवीहिः । मात्रपदेन प्र परीक्षाव्यवच्छेदः । चौर्येति । चौर एवायमिति निश्चयमित्यर्थः ।

अन्येति । कात्यायनोऽप्येवमेव । अन्यस्य चौरस्य हस्तात्परिश्वष्टं च्युतं भुवि खन्यमाना-यामन्यार्थमत एवाकामाद्निच्छयोत्थितं प्राप्तमन्यद्गियं पूर्वं प्रतिक्षिप्तं त्यक्तं इत्यर्थः । तथा चेद्मेव-मुत्तानेनापहृतमिति परीक्षा कार्येति भावः । तदाह । यत्नादिति । नारदांतरमाहः । तथिति । यत इति शेषः । यतो दिविधा भावाः पदार्थाः दृश्यंते तस्मादित्याद्यर्थः । दैविध्यमेवाहः । १० असत्याः सत्येति । अत एव विविधा इत्यपपाठः ॥ २६७।२६८ ॥

## याज्ञवल्कीये २६९ श्लोकः।

अत एवाह । एविमिति । उक्तप्रकारेणेत्यर्थः । आत्मा स्वस्वरूपम् । चौर्ये इति विषयसप्तमी । शंकायामन्वेति । तदाह । यदि चौर्येति । तत् ततः तच्छंकातः । लिङ्गर्थो न विवक्षित इत्याह । यतिति । उत्तरार्धमग्रिमस्याविशेषस्य सामान्येनातुवादोऽन्यथा पौन- १५ स्वत्यापत्तेरत आह । वक्ष्येति । अनुपद्मेवेति भावः । धनदानेति पाठः । यद्यपि दापनं वक्ष्यमाणं तथापि तस्य राजधर्मत्वेन चोरानिष्टत्वात्ततोऽर्थसिद्धस्य दानस्यात्र ग्रहणं अत एव दापनेत्यप-पाठः । आदिना तद्गिमपरिग्रहः । अनुवादत्वादेवाह । दंडमाग्भवेदिति। संभावने लिङ् अनुवादफलं प्रदर्शयन् वचनसार्थक्याय तात्पर्योर्थं प्रतिज्ञातमाह । अत इति ।

नन्वयमप्यस्य नार्थः प्रमाणस्य । भावगोचरत्वेन निःस्वरूपेऽभावात्मके तुच्छे मिथ्योत्तरे २० प्रमाणाप्रसक्तेरित्याशयेन शंकते । निन्विति । उक्तत्वादाह । दिव्योति । साक्षात्ति दिवयाति । तथापीति मानुषं कारणं संसूष्टे मिथ्योत्तरे भावरूपिमथ्यात्वे यत्कारणं तस्य यत् साधनं तन्सुखेन तद्द्वारा अभावमि गोचरयत्येवेत्यन्वयः । अत एव पूर्वपक्षे साक्षादित्युक्तम् । तथाच शुद्धिमथ्योत्तरे दिव्यमेव । संसूष्टे तु मानुषमप्यनया रीत्येति भावः ।

एतदेवोदाहरणेन विश्वद्यति। यथा नाशेति । द्रव्यनाशापहारयोः कालेऽहं देशांतर- २५ स्थित इति चौर्यशंकया गृहीतेनाभियुक्ते साक्ष्यादिभिर्भाविते साधित्वे चौर्याभावस्याप्यर्थात्सिद्धेस्तस्य शुद्धिरेवेत्यर्थः ॥ २६९ ॥

# र । ज्ञवल्कीये २७० श्लोकः।

चोरपदं तथापरिमत्याह । यस्तु प्रागुक्तिति । दापने प्रकारद्वयमित्याह । स्वक्ति । प्रविष्ठ प्रागुक्तेषु त्रिष्ठ कर्मसु उत्तममध्यमाधमरूपेषु यो दंड उक्तः उत्तममध्यमाधमसाहसरूपः स्वविष्ठ द्वयेषु उत्तममध्यमाधमरूपेषु स्तेयेऽपि तद्विषयस्तेयाख्ये कर्मण्यपि अनुक्रमात्तेनैव क्रमेण दंडो भवतीत्यर्थः ।

तथा चोत्तमद्रव्यापहारे उत्तमसाहसदंडविधानाद्वधस्याप्युत्तमसाहसात्मकदंडत्वेनोत्तमद्रव्या-पहारविषयत्वमेव युक्तमिति भावः । तदाह । वधिति । अन्यविरोधं परिहरति । यत्पुनिरिति । अन्येति बहुवीहिः । एषां चोराणां । वृद्धशातातपोऽप्येवं । अपेति । वधस्येति भावः। ( उत्तरार्धः )

प महत्यपराधे तत्रापि । तथा च गौतमः (अ. १२ स्. ४३।४५)। "न शारीरो ब्राह्मणस्य दृंदः । कर्मिवयोगविष्यापनविवासनाङ्करणानि । अवृत्तौ पायश्चित्ती स " इति । शारीरस्ताडनांग-च्छेदनरूपः, कस्ति हैं दंड इत्याह । कर्मेत्यादि । तेन सह सर्विक्रियानारंभः । विख्यापः हिंडिम-केन परिभ्रामणं स्तेयलक्षणपकाशनार्थम् । विवासनं देशानिष्काशनम् । अङ्क्रकरणं श्वपदेनांकनम् । अवृत्तौ अन्येन प्रकारेण जीवनासंभवेन यदि स्तेयं करोति तद् तस्य प्रायश्चित्तमात्रं न दंड १० इति तद्र्थः ।

वक्ष्यमाणमनोराह । ललाटे इति । आकारशब्दः सहशवाची । विशेषमाह । एतच्चेति । श्वपदाकारमङ्कनं चेत्यर्थः । अनेन दंडपायश्चित्तयोः क्रमः स्चितः । सर्वे बाह्मणक्षत्रियविशः यथोदितं यथाशास्त्रविहितं प्रायश्चित्तमित्यन्वयः ॥ २७० ॥

## गान्द्रव्याप्टे २७१ श्लोकः ।

१५ ग्रामेत्युक्तेराह । यदि ग्रामेति । घातितापहृतयोर्भावयोर्विकल्प इत्याह । मनुष्येति । 'सर्वे वाक्यमिति' न्यायेनाह। पवेति । तत्ययुक्तद्रोष इत्यर्थः । प्रतिज्ञातं तात्पर्यार्थमाह । तत्परीति । अनिर्गते इति सित सप्तमी । तत्र प्रतियोगी लक्ष्योऽर्थ इत्याशयेन सत्तात्पर्यार्थं तद्वचाच्छे । तद्वक्ताविति । तद्विषयेति । तद्देशाधिपतिरित्यर्थः । एवेन ग्रामपतिनिरासः । चौरं धनं वेति । आदौ चौरमपियेत्तदशकौ धनमित्यर्थः । गोचरे विषये ग्रामादिरूपे ग्राह्यः ग्राहणीयः । अशेषमिति छेदः । २० अथवा अशेषं धनं द्रापनीयः । तच्छेषमाह । यदीति । अशेषपदेन दं इस्यापि ग्रहणम् । पुनस्तव-र्थे । यदि तत्पद्मन्यत्र पातितं तदा यथासंभवं सामंतादीन् द्रापयेदित्यर्थः । अत एव चेदन्यत्रेति पाठांतरम् । पवेन तद्यावृत्तिः। उत्तरार्धार्थमाह । विवीते त्वित्यादिना । पायवत् विवीते इत्यर्थाल्डक्यं यथोत्तरान्वाये । मार्गविवीतकयोर्विकल्पोऽर्थात् । अत एव चौरोद्धर्तुतित्यस्यार्थद्यमाह । यदा त्विति । २०१ ॥ अविवीतके इत्यस्यार्थे विवीतादिति । यथासंस्थेनाह । मार्गिति ॥ २०१ ॥

# याइवल्कीये २७२ श्लोकः।

स्वसीम्रीत्यस्यार्थमाह । सीमाति । मामाद्वहिरित्यनेन मामपितव्यवच्छेदः । एवमग्रेऽपि । आदिनावधः । मामपदं जने लाक्षणिकिनित्याह । तद्भामिति । पदं वेति । व्यवस्थितविकल्प इत्याह । यदिनावधः । मामपदं जने लाक्षणिकिनित्याह । आदिना धनार्पणादि तत्तद्भामादित्यादिः । धातिन इत्यादिमथमातः पाठः । मागुक्ताविषयत्वायाह । चौरेति । आर्थिकविकल्पमाह । वा द्धादिति । मामसमूहसंख्याया अनियतत्वादिद्मपि दिक्पदर्शनमत एव यथासंभवं व्यवस्थितविकल्पोऽयम् । नन्वेवं अथवा पुनरिति । व्यर्थ उक्तरीत्या नियतपक्षद्वयस्यैनाभावेन तत्परत्याऽपि तस्यात्यंतमनुपयोगादित्यत आह । विकल्पेति । पत्यासिनिमनितकम्येत्यव्ययीभावः । तत्येति पाठे तयोः प्रेत्यावर्थः ।

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अपहाराधारभूपदेशांचे यामाः पत्यासनास्ते एव द्युर्न तु पंचग्राम्येव दशग्राम्येवेत्येवं नियम इति । एवं नियमनिवृत्त्यर्थमथवेति विकल्पवचनमित्यर्थः ।

विशेषमाह । यदा त्विति । अन्यतः चोरमामाधिपादितः । दापनेऽन्वयः । अविजित्य ततः परावर्त्य परीक्षणोत्तरमपि दापनसमये कारणांतरवशात्संदृहे विशेषमुक्तरीत्यैवाह । सुिषतिति । यदीति । तिस्मम् उक्तिंगवशाच्छंकया महणोत्तरं परीक्षिते चौर इति निश्चित्य गृहीते पुरुषे धनं दाप्यमाने सति यदि मोषे चौर्ये संदृहो भवेत् कारणांतरतः, तदा बंधुभिर्धर्मबंधुभिः साक्षिभिः साध्येत् संदृहनिवृत्तिं कुर्यात्; अथवा शपथं दाप्यः, स इत्यर्थः ।

यद्यप्यञादौ दिव्यमुक्तं तथाप्यस्य कमानोधकत्वात्तयोः क्रमस्य पूर्वे स्पष्ट मुक्तत्वात्तथैनेति भावः । अत एव प्रतिज्ञायां तथैवोक्तम् । शुद्धिमथ्योत्तरे तदसंभवात्तस्यैवावश्यकत्वमभिप्रेत्य मिनना तथोक्तं एतद्भिप्रायेणापि दिव्यस्येति प्रागुक्तम् । व्याख्यात्रोति बोध्यम् । तथा शब्दः १० किंचेत्यर्थे आदौ बोध्यः ॥ २७२ ॥

### याज्ञवल्कीये २७३ श्लोकः।

बंदिग्राहादिकं चोरिनिशेषणिनत्याह । बंदीित । आदिना वाजिक्कंजरहारिग्रहणम् । तत्र चैन गोरथादिग्रहणम् । प्रसह्येत्यायर्थो बालघातिकान् तांश्च । कचित्तयैव पाठः । नरानित्यस्य व्याख्या चौरानितिवत् । बन्दिरोधस्थानं ग्राहयंति ते बन्दिग्राहाः ।

ननु शूलानारोपयेदित्यनेन तेषां तावन्मात्रं प्रतीयते, न वधः, तथा च श्रोत्रियायोपकल्पये-दित्यनेवात्रापि तावन्मानेणैव विधिसिद्धंस्तन्मानमेव कृत्वा पुनरुत्तारणं कार्यं न वध इत्यत आह । अयं च वधिति । अत्र मानमाह । अक्यगारेति । हर्तृश्चेति पाठः । अविचारयन् अविलंबयन् । अनेन तेषामपि एकदेशानुमतिद्वारा वधे सिद्धे केन प्रकारेण स इति विशेषाकांक्षायां श्लारोपण-रूपप्रकारविशेषो मूले उक्त इति भावः ॥ २७३ ॥

### याज्ञवल्कीये २७४ श्लोकः।

विस्नस्य ग्रंथिं विमुच्य उत्कृत्य छित्वा ताविति । उत्क्षेपकः करहीनो ग्रंथिभेद्स्तर्जन्यं-गुष्ठेन हीन इति भावः । संदंशपदं गौणलाक्षणिकमित्याह । सहशेनेति । तर्जेति मध्यमपदलोपी समासः । इदमर्थात्प्रथमापराधविषयं अत एवाह । द्वितीयापराधे पुनरिति । पादैकसंख्याऽस्य वक्ष्यमाणमन्वनुरोधेन निरासायाह । उत्क्षेपकेति ।

विशेषमाह । एतद्पीति । अपिना पूर्वसमुख्यः । द्रव्यति तद्पहारेत्यर्थः । तत्र मानमाह । तदंगिति । न्यूनतां निराचष्टे । तृतीयिति । अंगुली इति द्विचनं तद्वुयं च तर्जन्यंगुष्ठात्मकमेव संभवेन पूर्वसंदंशपदे न तस्यैव ग्रहात् । प्रथमे इति । प्रथमे ग्रहणे इत्यर्थः । प्रथमचौर्य इति यावत् । हस्तेति । अञ्चेतरेतरद्वंद आर्षः । जातीित जातिश्च द्वयं च परिमाणं चेति द्वंदः । ततो यन्मूल्यादि तद्नुरोधेनेत्यर्थः । अनुकदंडस्थले इति भावः । इतीित । इत्यन्यञोकत्वादित्यर्थः ॥२७४॥ ३०

## याज्ञवल्कीये २७५ श्लोकः।

इद्मण्युपलक्षणमित्याह । जातीति । जातिश्व द्रव्यं च परिमाणं च परिग्रहश्च विनियोगश्च वयश्च राक्तिश्च गुणश्च देशश्च कालश्च तदादीनां स्मृत्यंतरोक्तानामित्यर्थः । तत्र बाह्मणपरिगृहीताया गोर्हरणेऽपिको दंड इति ब्राह्मणपरियहोऽधिकदंडकारणं तथा यदि सैवाग्निहोमार्थं दोहाय विनियुक्ता तदा तस्या हरणे ततोऽप्यधिको दंड इति विनियोगोऽप्यधिकदंडकारणम् । एवंविधपरिग्रहविनियोगयोरभावे तावेव न्यूनदंडकारणे इति बोध्यम्। महद्र्यः उत्तमेति । बहुवचनान्तानां इंद्र इति भावः।

उत्तरार्घे व्याख्यातुमेतिहिषयं विवेचियतुं चोपयुक्तमाह । श्रुद्धादीति । मृद्धांडोति । यथाऽत्र प्रयोगसिद्धिर्भवित तथा दृंदः कार्यः । एवं हिरण्यरत्नेत्यत्रापि । मृद्धांडं मृन्मयं रामी-धान्यं माषादिमाषाद्यः " रामीधान्ये श्रुकधान्ये यवाद्य " इत्यमरः ( २।९।१४ ) । कृताः साधितानम् । ओद्नादिवर्जमिति णमुङ्, वर्जयित्वेत्यर्थः । लोहं च रजतादिकं मध्यमिति द्रव्यमुद्दा-हतमित्यस्यानुषयः । अप्रे सर्वानुषयो यथासंभवम् । वीहिति । बहुवचनांतयोविभाषां वृक्षेति । (व्या. सू. २।४।१२) पाक्षिक इतरेतरदृंदः । गोगजेति । एवं च गोवर्जमित्यत्र गोपद्मनयो-१० एत्युपलक्षणमिति भावः । देवेति । अभ्यहितत्वात्पूर्वनिपातः । च द्रव्यं द्रव्याणि च ।

एतत्प्रसंगाद्विरोधायाह । जीति । औत्सार्गकः सामान्यविहितः । तेनैव नारदेनैव । तचानुपद्मेव व्याख्यातम् । नन्वेवं मूलविरोधस्तस्येति मूलस्य का गतिरत आह । मृन्मयेष्विति । मिणकाद्यस्तत्पात्रविशेषाः इदं श्रुद्धद्वव्यमात्रोपलक्षणम् । गो वैति । इदं मध्यमद्वव्यमात्रस्य अभ्यहित-त्वान्महिषस्य पूर्विनिपातः । एवं कनकेत्यत्रापि । इद्मप्युत्तमद्वव्यमात्रस्योपलक्षणम् । तरतमभावो-१५ अस्तीति पाठः । तारतम्येति पाठे स्वार्थे ष्यञ् । यद्वा तारतम्यस्यावांतरवैलक्षण्यस्य भावः । स नास्तीत्यर्थः । प्रत्येकमिति शेषः । अत एव त्रिष्वपि मिणकादीत्यादिना प्रत्येकमृत्तमाधमयोग्रेहणं कृतम् । उद्यावचिति । यद्यप्ययं मयूरव्यंसकादिस्तत्र चोद्क्चावाक्चोचावचिनत्यभियुक्तै-व्याख्यातं तथाप्युचनीचमित्यर्थे स इति मतेनेदं तत्र लक्षणा वेति भावः । तथा च नारदतो यथाक्रमं तेषु त्रिषु त्रिविधोक्तस्पदंडस्याविशेषेण प्राप्तो अवांतरतारतम्येन तद्विशेषाकांक्षायां विशेष-२० बोधकं मूलवचनपूर्वार्धमिति अयं तात्पर्यार्थ इति आशयः ।

' मूल्यादी'त्यादि शब्दं संप्राह्मपदर्शकम् छोत्तरार्धं व्याचष्टे । तत्र चेति । तस्यां पूर्वोक्तायामित्यर्थः । दंडकर्मणीति । मौछस्य व्याख्या दंडकल्पनायामिति । बीजमाह । तद्धेत्विति ।

शक्तीति । अनेन मूळेऽपि समाहारदंदः सूचितः । पूर्वनिपातः प्राग्वत् । समर्थमाह । सम्यगिति । नन्वत्रेते एव चत्वार उक्ताः अवतरणे त्वन्येऽप्युक्ता इति विरोधोऽत आह । एतच्चेति ।

२५ दीनां तेषामपि । आदिना विनियोगादिपरिग्रहः । तथाचात्रोपात्ता एव दंडकल्पनामाह हेतव इति न किंत्पळक्षणतया स्मृत्यंतरोक्ता अन्येऽपि अत एव तिहरोधोऽपि नेति भावः । तदेव स्मृत्यंतरजातमनुक्रमेण दर्शयिति । तथाहीत्यादिना । तत्र तावद्दर्णरूपजात्यपेक्षया गुणापेक्षया च स्तेयविशेषण दंडविशेषवोधकं वासिष्ठमाह । अष्टापाद्यमिति । अत्र दंडानुकेरसंबद्धत्विनरासायाह ।
अयमर्थ इति । ळक्ष्यते इति तस्य तत्कार्यत्वात् । विदुष इति उपात्तं श्रद्भस्य एवमेवाग्रेऽपि

३० विशेषणापीत्याह । विदुषामिति विशेषणम् । अतिक्रमे इत्यस्य मध्यमाणिन्यायेनोभयत्रान्वयस्तद्गह ।
स विद्वदिति । अष्टन् शब्दोऽपि छाक्षाणिक इत्याह । अष्टगुण इति । विदुष इति वधनविपरिणामेन विडाळादिस्तेये विषये प्रतिवर्णमिति शेषः । द्विगुणात्तरिति । उत्तरमुत्तरं द्विगुणानीत्यर्थः ।
भयुरेति १ (व्या. स. २ । १ । ७२ ) समासः । तदर्थमाह । षोडशिति । उक्तहेतोरितिक्रमे इत्यादि हेतुपरमित्याह । यस्मादिति । अनेन यत इति शेषः सूचितः तत्र ।

हितरर्थसमाप्तौ । अपिना येन देषिण स्द्रहस्य दंडो भवति धर्मतः तेन विट्क्षत्रविमाणां हिगुणो हिगुणो भवेदिति । कातीयसमुख्यः । अष्टेति अर्थः माग्वत् । एवः पद्ये एव पूर्वोत्तरयोरपि संबध्यते । 'तहोषे'त्यस्य तु सर्वत्र पद्यहये संबंधः । तस्य वस्तुनो दोषगुणयोर्वेदने ज्ञाने सतीत्यर्थः । एवं वासिष्ठे विद्वत्ताऽप्येतदिषयैव । एतद्र्थमेव मनूकिः । तहोषगुणविद्धि य हति । तत्र पाठांतरं कल्पतवादिसंमतम् । गुणविद्विष इति त्वपपाठः । अर्थासंगतेः ।

ब्राह्मणस्य तु तत्रापि गुणाद्यपेक्षया पक्षत्रयमाह । ब्राह्मणस्योति । अत एव पूर्वत्रैवकारः सफलः तथा चायं दंडः सद्भत्वादिजात्यपेक्षो विद्यत्वरूपगुणापेक्षश्चेति तयोरत्र हेतुत्वमिति भाषः । द्रव्यपरिमाणेति भिन्नमिति सूचयन् व्युत्कमेणाह । तथा परीति । धान्यामिति । द्रशसंख्येभ्यः कुंभेभ्योऽभ्यधिकं धान्यं हरतो वधः । 'शेषे त्विति ' पाठः । शेषेऽपीति पाठेऽपिस्त्वर्थे शेषेष्विति पाठांतरम् एकस्मादारभ्य द्शकुंभपर्यंतहरणे अपहृतादेकाद्शगुणं दंडं दाप्यः । स्वामिनश्चापहृतं १० धनं दाप्य इत्यर्थः । कुंभोऽञ न प्रसिद्धः, किंतु परिणामविशेष इत्याह । विश्वातिति । द्विप्रलशतं द्रोणः ।

नन्वत्र वधदंड उक्तः । स च ताडनादिप्राणिवयोजनांतव्यापाररूपस्तथा च सर्वत्र ससुच-यापत्तिरत आह । हर्तुर्ह्वियोति । हर्तुर्गुणपेक्षया ह्रियमाणस्य द्रव्यस्य गुणापेक्षया स्वामिनो गुणापेक्षया चेत्यर्थः। परिमाणशब्दः परिच्छेदकमात्रपर इत्याह । तथा संख्येति । तत्रादौ नारदमाह । सुवर्णेति । सर्वेषां साधारणानाम् । अभ्यधिकमिति पाठः । एवं प्रागपि । मनुमाह । यं चेति । १५ तथा धटितमेयानां शताद्भ्यधिकं वधः सुवर्णरजतादीनामुत्तमानां च वाससामिति पूर्वमितः धटितमेयानां तुलापरिच्छेचानां पूर्वोक्तानामेव पंचाशतोऽभ्यधिके हस्तछेदः । अत्र शतादिपलसंबंधिबाध्यं शेषेषु एकपलादारभ्य पंचाशत्यर्थतमपहारेऽपहतद्रव्यमूल्यादेकादशगुणं दंढं दापयेदित्यर्थः । स्वामिने वस्तुदानं तु समानमेवेति भावः । द्रव्यविशेषादापि दंडगुरुत्वं हश्यते इत्यस्यानुषंगः ।

मनुमाह । पुरुषाणामिति । 'मुख्यानां चैव रत्नानामिति ' सर्वसंमतस्तृतीयपादे पाठः । २० रत्नानां चैव सर्वेषामित्यपपाठः । अत एव प्रागुक्तनारद्विरोधो न अत एव च महाकुळजातानां मनुष्याणां विशेषण स्त्रीणां महाकुळपस्तानां श्रेष्ठानां च रत्नानां वज्रवैदूर्यादीनां अपहारे वधमहिति इति तद्याख्यातारः । कुळीनानामित्युक्तेः फळमाह । अकुळीति । स्त्रीणां पुरुषाणां चेत्यर्थः । नारदमाह । पुरुषमिति । स्यपराघे तद्पहारे सर्वस्वं तद्पहारो दंडः प्रोक्तः । स्थपहारे तु सर्वस्वमिति पाठान्तरम् । तत्रैव विशेषमाह । कन्यामिति । वधो दण्डः प्रोक्तः । सर्वस्वहरतो नारीमिति कल्पतरो २५ तृतीयपादपाठः । कात्यायनोऽपि ।

" सर्वस्वं हरतः स्त्री तु कन्यापहरणे वधः । वाजिवारणवालानां चाददीत बृहस्पतिः। " इति सर्वस्वमित्यस्यानुषद्धः ।

एवं दंडपुरुषत्वमुक्त्वा क्षुद्रद्रव्यविषये एव संभवाद्त्यानुसारेण लघुदंडमाह । क्षुद्रिति । माषती न्यूनेत्यर्थः । किचित्तु तथेव पाठः । अव मानमाह । काष्ट्रिति । तस्य भांडेत्यर्थः । ३० अभ्यहिंतत्वात्पूर्वनिपातः । एवं लवणेत्यचापि । वेणुश्च तिहकारभांडानि मितजलाहरणपात्राणि । यचान्यत् पद्यसंभवं मृगचर्मखङ्गर्गगादि अन्येषामप्येषंविधानां असारप्रायाणां मनःशिलादीनां षट्कानामोद्नभिज्ञानामपूर्णदीनां अन्येषां मसिद्धानां चापहारे कृते मृत्याद्विगुणो दंड इति तम्भास्थातारः ।

अल्पम्ल्ये उक्तत्वादाह । अल्पप्रयोजनेति । इदं च कालादीनामित्यादिसंग्राह्यम् । दंडाल्पत्वे अन्यद्ण्डगुरुत्वे तत्संग्राह्यमाह । तथाऽपेति । वक्तं मनुमतेनेति शेषः । 'संधिमिग्त्यादेः उक्तमुपसं-इरति । प्वमिति । उक्तप्रकारेणेत्यर्थः ।

विशेषमाह । यथेति । कर्तिर षष्ठी । ताहरादिजकर्तृकाल्पापहार इत्यर्थः । अध्वगः पथिकः । श्रीणवृत्तः क्षीणपाथेयश्च । द्विजो दिजातिरित्यर्थः । अन्यद्गि तदुक्तमेवाह । तथेति । त्रीह्मादि- दंदोत्तरपदको दंदः । अनिषिद्धेः स्वाम्यादिकृतनिषेधरिहतैर्भक्तं अकं सप्तमे भक्ते चतुर्थदिनस्थे तिसन् प्राप्ते सित । अश्वस्तेति । द्वितीयदि्वसे यथा नोर्धरित (१) तेन प्रकारेणेत्यर्थः । हीनेति अल्पाचाराद्धर्तव्यां न तत्कृष्णाचापि हीनजातेरित्यर्थः । किं च " वानस्पत्यं फलं सूलं दार्वग्न्यर्थं तथैव च । तृणां च गोम्यो आसार्थमस्तेयं मनुरव्यविद्ति " मनुः ( अ. ८ श्लो. ३३९ ) । 'अनिरुद्धेति ' प्रागुक्तगौतमाद्परिवृतवनस्पत्याद्गिनां वानस्पत्यं यत्र पुष्पादि सूलं फलं होमीयाग्न्यर्थं दारुणे आसार्थं तृणं परकीयमस्तेयं मनुराह तस्माच दंड इत्यर्थः ॥ २७५ ॥

## याज्ञवल्कीये २७६ श्लोकः।

चौरोडपोति । तथा च अथ तद्तिदेश उच्यते इति भाषः । भक्तेति । इंद्रः प्राग्वत् । अज्ञाने 'दोषाभाषाय जानत ' इति पदार्थानाह । भक्तिमित्यादि । चौरस्य तदादेः । एवमग्रे-१५ ऽपि बोध्यम् । वाक्यार्थमाह । एतानीति । भक्तादिव्ययांतानि वस्त्नीत्यर्थः । एतानिति पाठस्तु सम्योव । उभयसंग्रहायाह । दुष्टत्वमिति । मनुरपि (अ. ९ श्लो. २०१—२०५)

ग्रामेष्विप च ये केचिज्ञौराणां भक्तदायकाः । भांडावकाशदाश्चीव सर्वीस्तानिप वातयेत् ॥
" राष्ट्रेष्ठ रक्षाधिकृतान् सामंतांश्चेव चोदितान् । अभ्यावातेषु मध्यस्थान् शिष्याज्ञौरानिव द्वतम् ॥
" यश्चापि धर्मसमयात् प्रच्युतो धर्मजीवनः । दंडेनैव तमप्योषेत् स्वकाद्धर्मोद्धि विच्युतम् ॥
२० " ग्रामवाते हिताभद्गे पथि मोषाभिद्र्शने । शक्तितो नाभिधावन्तो निर्वास्याः सपरिच्छदाः ॥
" राज्ञः कोशापहर्तृश्च प्रतिकृत्रेषु च स्थितान् । वातयेद्विविधैदंडेररीणां चोपजापकानिति ॥ "
" अग्निदान् भक्तदांश्चेव तथा शस्त्रावकाशदान् । सिन्नधातृश्च मोषस्य हन्याज्ञौरामिवेश्वरम् ॥ " इति ।
" यो दत्ताद्यायेनो हस्ताल्रिप्तेत ब्राह्मणो धनम् । याजनाध्यपनेनापि यथा स्तेनस्तयेव सः ॥ "
( म. अ. ८।३४०) इति च । रक्षेति ग्रामनिवासिनः प्रजानाम् । चौरादिभिः उपचाते कियमाणे
२५ मध्यस्थानपेक्षकान् चौरवदंडयेत् । हिताभद्गे परक्षेत्रोत्पन्नसस्यविनाशनं मोषादिभिर्द्शनेऽपहत-द्रव्यदर्शने मोषस्यापहतद्रव्यस्य अद्ताद्ययिनश्चौरस्य हस्ताद्यो ब्राह्मणो याजनाध्यापनप्रतिग्रहैर्वाऽपि
परक्षियवनं ज्ञात्वा लब्धुमिच्छेत् स चौरतुल्यस्तदंड इत्यर्थः । विशेषमाह । चौरोऽपेक्षिति
होषः ॥ २७६ ॥

### याज्ञवल्कीये २७७ श्लोकः ।

३० किंचेति । अतिदेशपसंगादन्यस्यापि दंडमाहेत्यर्थः । एवमग्रेऽप्युभयत्र । पुरुषस्त्रीि आर्षम् । स्मृत्यंतराविरोधायाह । दासीब्राह्मोति । तदेवाह दासीत्यादिना । अभीति । साह-समकरणे इति भावः । विनाशे तु विनाशने तु । वक्ष्यतीति । प्रायश्चित्ताध्याये इति भावः । प्रमापणे गारणे । नायमैच्छिकविकल्प इत्याह । शिल्लेति । शीलं स्वभावः वृत्तम् । आदिना धर्मः तिहिशिष्टस्य पुरुषस्य तथा स्त्रियाश्च मारणे उत्तमसाहस स तद्राहित्ये तु प्रथमसाहस इति विकल्प-व्यवस्था । दितीयवाशब्देन यच्छीलादिवैशिष्टचे तथा सति पारिशेष्यान्मध्यमसाहसपरिग्रह इति बोध्यम् ॥ २७७ ॥

### याज्ञवल्कीये २७८ श्लोकः।

विभेण दुष्टामित्यर्थनिरासायाह । विशेषणोति । तस्यार्थद्वयमाह । भ्रूणोति । 'सेतुभेद्करी' त्यत्र टमत्ययस्तद्ग् । सेतूनामिति । अगर्भिणीमिति ' सर्वविशेषणम् । स्त्रियमिति सर्वविशेषमित्याह । एता गर्भेति । साकाङ्कृत्वाद्ग्रह । गर्छे इति । तात्पर्यार्थमाह । यथेति । तथा च घाते तात्पर्यं तत्र न तात्पर्यमिति भावः ॥ २७८ ॥

### याज्ञवल्कीये २७९ श्लोकः ।

विषेति । आर्ष विकर्णेत्यत्राप्येवम् । युक्तिसाम्यादाह । गिर्भणीमिति । अन्यथा दाने १० दोषायाह । परेति । दाहार्थमिति च । अत्र कियानुषंगः । निजत्वं सर्वविशेषणमित्याह । निजपतीति । स्पष्टार्थमिद्मिति बोध्यम् । तां सर्वाम् वीत्यस्यार्थः छिन्नोति । कर्णकरेति प्राग्वत् । अन्यथा तद्संभवादाह । अदांतैरित्यादि । प्रवाह्य वाहयित्वा । ननु शस्त्रावपात इत्यादेरत्रानुपयोगस्तस्य साहसत्वाद्त आह । स्तेयेति । तत्फलं तु विशेषलक्षणभेदेऽपि तत् सामान्यलक्षणस्यात्रापि सत्वमिति सूचनम् साहसिकस्य तद्विछन्नवस्तुनः । सामान्ये नपुंसकं दंडप्रदानं तद्भिधानम् । १५ किचित्तथैव पाटः ॥ २७९ ॥

## याज्ञ ल्कीये २८० श्लोकः।

एतत्प्रसंगादेवाशिममित्याह । अवीति । अविज्ञातेनाहतेन हत इति समास इत्याह । अवीति । तस्य कलहे च शाब्दोऽन्वय इत्याह । संबंधीति । बांधवपदार्थः प्रत्यासना इति । अस्येत्यस्यार्थी स्रुतोति । चो व्युक्तमे इत्याह । याश्चेति । न वेश्या विवक्षिताः शब्दस्वारस्याभावादित्याह । २० व्यभीति । पृथगिति शेषः ॥ २८० ॥

### याज्ञवल्कीये २८१ श्लोकः।

चरमे एवोक्तज्ञानाभावादिशेषशंकेत्याह । कथामिति । इत्यत आहेति पाठ इत्याशं-कायामाहेत्यर्थः । वृत्तिर्नियतजीवनम् । इंद्रांते श्रूयमाणस्य कामस्य प्रत्येकं संबंधादाह । किमयमिति । एवं श्रीद्रव्येति सामान्येन व्याख्याय संभवात्तदेव विशिष्य व्याचष्टे । तथेति । तत्रापि प्रकारद्वय- २५ माह । कस्यामिति । कुतो राजादितः ।

द्वितीयपादं व्याचष्टे । केन वेति । तथिति । तत्रापि इष्टासिद्धेराह । विश्वास्येति । अभयं दन्तेत्यर्थः ।

उत्तरार्द्धे व्याचष्टे । तथेति । गोपाश्च आटिवकाश्च तदाद्या इत्यर्थः । मूले जातावेक-वचनमिति भावः । शनैरित्यस्यार्थो विश्वासेति । तात्पर्यार्थमाह । नानेति । एवमित्यादिः क्वि- ३० दस्य पाठ एव ॥ २८१॥

# याज्ञवल्कीये २८२ श्लोकः।

पक्वानि फलानि येषां ताहशानि यानि सस्यानि तदुपेतं पक्वाभ्यां फलसस्याभ्यामुपेतं युक्तं वा। यद्यप्ययं दृंदस्तथापि यौगपद्यासंभवादाह । खलं वेति । 'खलं खर्याण ' इति प्रसिद्धम् । कटसंबंध्य-

भिनेत्यर्थः । इष्टासिद्धेराह । कटैरिति । ततश्च तत्र मध्यमपद्लोपिसमास इति भावः । यस्य तृण-स्योशीरं प्लंस तृणविशेषो वीरणम् । 'स्याद्दीरणं वीरतरं मूलेऽस्योशीरमस्त्रियाम् (अमरः २।४।१६४) नतु इदमपि नोपयुक्तमत्रेत्यत आह । क्षेत्रादिति ॥ २८२ ॥

॥ इति स्तेयपकरणम् ॥

### अथ हो। इंग्रह्ण मकरणम् २४ ।

साहसमकरणादाह । स्त्रीति । संभेद्य प्रथमादिभेदिन तत् स्त्रीसंग्रहणम् । मध्योति समाहार-दंदः । तत्राद्यमाह । अदेशेति । अदेशे अकैशिले च संभाषा संभाषणामित्यर्थः । निर्जने च अरण्ये च । क्षचित्तथैव पाठः । संभाषणमिति शेषः । कटाक्षेत्यत्रार्शे आद्यच् । सकटाक्षावेक्षण-मित्यर्थः । 'परस्त्रिया' इति षष्ठचंतस्य सर्वत्रान्वयः । क्षचित्तृतीयांतपाठः ।

१० दितीयमाह । प्रेषणिमाति । सृष्टेति शुद्धेत्यर्थः । समीचीनेति पाठांतरम् । उभयविशेषणिमद्म् । तृतीयमाह । सहेति । शय्यासेने इति पाठान्तरम् । विविक्ते एकांते । उभयान्वयीद्म् । परस्परिमाति । आलिंगनहस्ताबलंबादिभिरन्योन्यसंश्रय इत्यर्थः । केशाकेशियहः क्रीडा-संबंधियहणम् । सम्यक् अर्थवत् संपूर्णम् । उत्तममिति यावत् । अत एव 'शेय उत्तमसंग्रह किति पाठान्तरम् । विशेषे उक्तेऽपि सामान्यस्य केनाऽप्यनुक्तत्वात् स्वयं सामान्यलक्षणं तत् सूचितमे- १५ वाह । स्त्रीति । एवं सलक्षणं त्रैविष्यमुक्तवा मूलमवतारयति । संग्रहेति ।

#### याज्ञवल्कीये २८३ श्लोकः।

तत्कर्तुः संग्रहणकर्तुः तत् संग्रहणं सामान्येनार्थमाह । संग्रहोति । सप्तम्युपपत्तये आह । प्रवृत्त इति । तिहिषये प्रवृत्त इत्यर्थः । वक्ष्यमाणारुयेनाह । आदिभिरिति । अर्थादाह । लिङ्गेह्यात्वेति । ननु केशीति किमर्थकं कथं वा नृतीयांतमत आह । परस्परेति । एतहाभार्थमाह ।
२० तत्रेति । (२।२।२७) सप्तम्यन्ते ग्रहणविषये सरूपे पदे तृतीयान्ते च प्रहरणविषये इदं युद्धं प्रवृत्तिति समस्येते । कर्मन्यतीहारे स बहुन्नीहिः संज्ञ इति तद्याः । इति रान्दाद्यं विषयविशेषो लम्यते 'इच कर्मेति '। (न्या. सू. ५।४।१२७)। कर्मन्यतीहारे यो बहुन्नीहिस्तस्मादिच् समासांत इति तद्याः । कियाविनिमयः कर्मन्यतीहारः इति कर्मन्यतीहारे यो बहुन्नीहिस्तस्मादिच् समासांत इति तद्याः । कियाविनिमयः कर्मन्यतीहारः इति कर्मन्यतीहारवहुनीहो पूर्वपदांतस्य द्विधइत्यर्थकेन 'अन्येषामिष दृश्यते ' (न्या. सू. ६।३।१३७) इत्यनेन पूर्वपदे द्विधः । अन्ये
२५ 'तिष्ठद्वप्रभृतिन्विति '। (न्या.सू. २।१।१७) पत्ययपाठाद्न्ययीभावत्वेऽन्ययत्वे च नृतीयाया अनद्तत्वेन ' अन्ययादाविति ' (न्या. सू. २।४।८२) ह्रिगिति भावः ।

विशिष्यार्थमाह । तथा चोति । तस्य तथार्थकत्वे सतीत्यर्थः । परस्त्रियेति । मूले सहयुक्त इति तृतीयांतमिति आह । परोति । लिंगांतरमाइ । अभीति । सद्य इत्यस्यार्थोऽयं करजेति । करहिति पाठान्तरम् । ननु नलादिकृतवणानां नैतिलिंगत्वं क्रोधप्रमादादितोऽपि तत् संभवादत ३० आह । रागकुतैरिति । कामजैश्विहै 'रित्यस्यार्थोऽयम् ।

तुर्यपादार्थं तृतीयं तदाह । द्वयोरिति । यत्ताविति सत्सप्तम्या फलितमाह । संप्रतीिति । द्वयोः स्वैरिणीजारयोः । संप्रतिपत्त्या अङ्गीकारेणेत्यर्थः ।

१ ख-अकरणे । २ क-ख-फ-सप्तम्यंते कियाविषये सरूपे पदे तृतीयांते च कियाविषये सरूपे पदे इदं कियारूपं बस्तित्यर्थे समस्येते ।

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ननु परग्रहणं व्यर्थं स्वभायीयां तथाकरणे दोषाभावात् वेश्यायां दोषस्य वक्ष्यमाणत्वाद्त आह । परिति । अत एव परभार्ययेत्येवं तद्याख्यातम् । वैधपाणिग्रहणे एवं भार्यात्वात् यद्यपि नियुक्तायां नस्वक्षतादिचिह्नाभावः वृताभ्यंगविधानेन मिथुनीभावविधानाचस्वक्षतादिकरणस्यनिषिद्धत्वात् तथापि ह्योः संप्रतिपत्तिरस्तीति बोध्यम् । अवरुद्धादिषु तत्पूर्वोक्तानि सर्वाणि साधारणानि लिंगानि संति तथा च तैर्ग्रहणे प्राप्ते परभार्येत्यनेन तद्याद्वासः आद्यायां नियोगत्वेन तद्वावश्यकत्वाद्न्यस्यामप्यवरुद्धत्वेनेव तत्वासंभवादिति भावः ॥ २८३ ॥

# याज्ञवल्कीये २८४ श्लोकः।

उपायांतरमप्युच्यते इत्याह । किंचेति । 'नीनीकटचंशुकग्रंथिरिति ' कोशादाह । परीति । तद्रूपदेशेत्यर्थः । स्तनौ प्रत्येकमिति आह । कुचप्रेति । इदमप्युपलक्षणमित्याह । आदीति । अन्यथा दोषाभावायाह । साभीति । अस्यायोग्यत्वादाह । इवेति । अन्वयाय योग्यिकयां पूर्यित । १० आचरिति । एवमग्रेऽपि ब्रोध्यम् ।

अदेशेत्यनेन व्यासोक्तोभयं संग्रह्णाति । निर्जने जनताकीणीति । तथा च तत्रादेशे इत्यनेन जनताकीणीं इत्यस्यैव ग्रहः निर्जने इत्यस्य पृथगुपादानादिति बोध्यम् ।

तथा च **मनुः**— ( अ. ८ श्लो. ३५६)

" परिस्नयं यो अभिवदेत्तीर्थेऽरण्ये वनेऽपि वा । नदीनां वाऽपि संभेदे स संग्रहणमाप्नुयात् '' ॥ इति । १५

' अकाले ' इत्यस्यार्थ अंधकाराकुले काले चोति । अकाले इति छेदः । सहैकेत्यस्य तया सहैकत्र स्थानं स्थितिं करोतीति शाब्दोऽर्थस्तत् फलितमाह । परेति । तत्र एवोऽप्यर्थे तदाह । सोऽपीति ।

विशेषमाह । **एतच्चेति ।** संग्रहणप्रवृत्तग्रहणं चेत्यर्थः । 'आशंक्येति ' बहुवीहिः । यिस्त्विति । यः पूर्वमनाक्षारितः परस्त्रीप्रार्थनाभिशापरिहतः । असौ विट् इति न निंदितः २० केनचित् कारणेन जनसमक्षमथाभिभाषणं कुर्यात् न स दंड्यत्वादिदोषं पाप्रयात् यस्माच कश्चित्तस्या-पराधोऽस्तीत्यर्थः । एवं भिक्षुकादाविप न दोष इत्यिप तेनेवोक्तम् । मनुः (अ. ८ श्लो.३६०) भिक्षुका बन्दिनश्चैव दीक्षिताः कारवस्तथा । संभाषणं सह स्त्रीभिः कुर्युरप्रतिवारिताः ''॥ इति ।

भिश्चकाः भिक्षाजीविनः यतयो वा । बंदिनः स्तुतिपाठकाः । दीक्षिता यज्ञार्थे कृतदी क्षकाः । कारवः सूपकाराद्यः । एते भिक्षादिकार्यार्थे गृहिस्त्रीभिः सह संभाषणमनिवारिताः कुर्युरेवं २५ वैषां संभाषणं ता अपि कुर्युरित्यर्थः । निवारणे तु नैवमित्यप्रतीत्यनेन सूचितस् ।

विशेषांतरमाह । य इति । तेनैव मनुनैव । एवमग्रेऽप्युभयत्र । स्त्रियमिति यस्मत् स्मष्टु-मनुचिते स्तनजघनादिदेशे परस्त्रियं स्पृशेत्तया वा वृषणादिके देशे स्पृष्टः क्षमते तथाऽन्योन्यांगी-करणे सति यत् प्रवर्तमानसंग्रहणामिदं सर्वं संग्रहणं मन्वादिभिः स्पृतमित्यर्थः । असकृदिति । 'भूतपूर्वे चरडिति ' (व्या. सू. ५ । ३ । ५३ ) चरट् ॥ २८४ ॥

प्रतीति । अनेन सह त्वया न संभाष्यमनया च सह त्वयेत्येवं पूर्वे प्रतिषिद्धयोः स्वैरिणी-जारयोरित्यर्थः । पुनः पश्चात् ।

#### याज्ञवल्कीये २८५ श्लोकः ।

पत्यासत्त्या प्रतिषेषपदार्थमाह । प्रतीति । कर्माण घळ । अनेन निषेध इत्यञ्चाप्येवमिति सूचितं वाक्यार्थमाह । प्रतीति । शेषमाह । प्रवर्तिति । द्वितीयपादार्थमाह । पुरुष इति । उत्तरार्द्धमातिदेशविधिरित्याह । द्वयोस्त्विति । अनुकत्वादाह । वश्यते इति । 'सर्व वाक्य- मिति ' न्यायेनाह । स एवेति । विशेषमाह । एतचिति । उक्तदण्डश्चेत्यर्थः । चारणा नटाद्यः आत्मनोपजीविनश्च तद्धिमाः वेशावृत्तिजीविनां दाराः । विधिनात्मोपेतिपाठान्तरम् । तथा चैषः परिश्चयं नाभिवदेदित्यादि संभाषणादि निषेधविधिः नटगायनादिदारेषु नास्ति तथा 'भार्यापुत्रः स्वका ' इत्युक्तत्वात् भार्येवात्मा तयोपजीवन्ति धनलाभाय तस्य लाभं क्षमंते ये तेषां नटादिभिन्नानां ये दारास्तेष्विप निषेधविधिनीस्ति हि यस्माने चारणा आत्मोपजीविनश्च १० परपुष्ठणानानीय तैः स्वभार्या संश्लेषयंते स्वयमागतांश्च पुष्ठणान् प्रच्छना भूत्वा स्वज्ञानं विभावयन्तो व्यवहारयन्तीत्यर्थः । तत्रापि विशेषस्तेनैव उक्तः ( अ. ८ श्टो. ३६३ )

"किंचिदेव तु दाप्यः स्यात् संभाषां ताभिराचरन् । प्रैष्यासु चैकभक्तासु रहःप्रविजतासु चेति ॥" रहो निर्जने देशे चारणादिस्त्रीभिः संभाषणं कुर्वन् स्वल्पं दण्डलेशं राज्ञा दाप्यः तासामिप परकीय-त्वात् । तथा दासीभिरवरुद्धाभिः बौद्धाभिर्वृद्धचारिणीभिः संभाषां कुर्वन् किंचिद्दण्डमात्रं दाप्य १५ इत्यर्थः । तमिति यस्यातिदेशः पूर्वे कृतस्तमित्यर्थः ॥ २८५ ॥

#### याज्ञवल्कीये २८६ श्लोकः ।

स्वजातावित्युक्तिस्वारस्यादाह । चतुर्णामिति । मूलानुरोधेनाह । साञ्चािति इति । दितीयपादार्थमाह । यदा त्विति । आनुलोम्यादौ स्वार्थं ष्यञ् च । अभिगमने इति शेषः। सर्वत्र तत्मिलितमाह । आनुलोम्येनेति । उभयत्र द्त्तयोर्ग्नप्तत्वयोर्म्बलानुक्तयोर्विशेषणयोः फले आह ।

२० यदा पुनरिति । तत्रादौ अगुप्ता सवर्णागमने दण्डमाह । सहस्रमिति । अत्र पूर्वार्थे स्वजाताविति मूलप्रथमपादोक्तसमानविषयं बाह्मणपदं विपपदं च क्षत्रियादेरप्युपलक्षणम् । तथा च क्षत्रियादीनामपि गृप्तसवर्णपरदारगमने एष एव विधिर्ज्ञेयः एतदुपयोगस्तु 'गृप्तां बलादिति ग विषयविशेषस्य तत्र लाभ एव । एवं च पूर्वप्रकरणसिद्धिरन्यसिद्धिरपीति । इद्मपि व्याख्यात्रोक्तम् । प्रकृतोपयुक्तं तूत्तर्राधमेव । यथा च रक्षितां सवर्णो सवर्णो बलेनोपगच्छन् सहस्रं दंड्यः स्यात् । वजिनै२५ त्यत्र वजेदिति पाठे वाक्यभेदो बोध्यः । उत्तरार्धे 'इच्छंत्येति ' बलादित्यस्य विपरीतोक्त्या तस्योक्तविपरीतार्थपरत्वावधारणेनागुप्तयेत्यर्थाद्यब्धम् ।

तथा चारक्षितया इच्छंत्या सवर्णया तु सहसंगतः सकृन्मैथुनः पंचरातानि दंड्यो भवेदित्यर्थः। आनुलोम्येन गुप्तागमने दण्डमाह । सहस्रामिति । इदं च तत्र पूर्वतः पद्यचतुष्ट्येन व्यवहितं तत्रेतोऽव्यवहिते ।

३० "वैश्यश्चेत्क्षत्रियां ग्रप्तां वैश्यां वा क्षत्रियो वजेत्। यो ब्राह्मण्यामगुप्तायां तावुभौ दंडमईतः"॥
( मनु. अ. ८ श्लो. ३८२ ) इत्यत्र क्षत्रियावैश्ययोः प्रकृतत्वात्ते क्षत्रियावैश्ये गुप्ते रक्षिते
अनिच्छंत्यौ गच्छन् ब्राह्मणः सहस्रं दंडं दापनीयः । शूद्रायां रिक्षतायां गमने क्षत्रियवैश्ययोरिप
सहस्रमेव दंडो भवेदित्यर्थः ।

अगुप्तास्थले तैनवैतद्ये उक्तम् (अ.८ श्लो. ३८४।३८५)

" क्षत्रियायामगुप्तायां वैश्ये पंचशतं द्मः । मूत्रेण मौण्ड्यमिच्छेत्तु क्षत्रियो द्ण्डमेव वा । '' अगुप्ते क्षत्रियावैश्ये सूद्र^{ां} वा बाह्मणो वनन् । शतानि पश्च द्ण्ड्यः स्यात् सहभ्रं त्वन्त्यजिम्नयमिति '' ॥

मूत्रं गर्धभस्य मुण्डनस्य द्ण्डस्य च विकल्पः द्ण्डश्च पंचशतस्त्पः शुद्धामित्यत्रापि अगुप्ता-मिति बोध्यम् । अन्त्यजश्चांडालादिः ।

विशेषमाह । एतच्चेति । मूलायुक्तमुभयं चेत्यर्थः । साखा मित्रम् । आदिशाह्यं वचने व्यक्तं माता सपत्नमाता स्त्रीत्यस्य त्रिष्ठ संबंधः । अभ्याहितत्वात्तस्य पूर्विनिपातः । आयों गुरुः प्रजनिता बौद्धभिक्षुकी धात्री उपमाता साध्वी पतिवता वर्णोत्तमिति पुरुषोत्तम इतिवत् समासः । बहुवीहिर्वा । अतिदेशमाह । गुर्विति । अत एवाह । शिश्लोति । उत्कर्तनात् छेद्नात् । अन्ययोगे पंचमी । अन्यः धनदण्डः ।

"वैश्यः सर्वस्वद्ण्डः स्यात् संवत्सरनिरोधतः । सहस्रं क्षत्रियो दंडचो मौण्ड्यं मूत्रेण चार्हतीति ''।। २५ मनुना ( अ॰ ८ श्लो॰ ३७५ ) इतः पूर्वमन्यत्र दंडांतरविधानाच ।

एवमाद्यै: संमित्रका । द्वितीयतामाह । ब्राह्मणीमिति । सेवेतामितिपाठः । गच्छेतामिति तद्र्थः । पंचरातमित्य बहुवीहेरर्श आयन् । अरक्षितां ब्राह्मणीं तु यदि वैश्यक्षित्रियौ गछेतत्तद्दा वेश्यं पंचरातं द्ण्डयुक्तं दुर्णत् क्षित्रयं तु सहस्रं द्ण्डोपेतं दुर्णत् इत्यर्थः । रक्षाद्यर्थे- मधिकृतत्वेन क्षित्रयस्य वैश्योपेक्षयाऽधिकदण्डविधिरिति भावः । वैश्ये चायं पंचरातद्ण्डः १० श्रूदाभ्रमादिना निर्गुणजातिमान्नोपजीविबाह्मणीगमनविषयः । तिक्षित्रबाह्मणीगमने तु वैश्यस्यापि सहस्रदण्ड एवेति बोध्यम् ।

अथ शुद्धे आह । शूद्धस्योति । गुप्तां तु उत्कृष्टवर्णाम् । तस्य शूद्धस्य । तेनैव मनुनैव । शूद्ध इति । अत्र सर्वत्र सामान्ये नपुंसकं देजातमित्यत्र 'तस्येद्म् ' (व्या. सू. ४ । ३ । १२० )

इत्यण् । गच्छेदिति यदि तदेति च रोषः । "अगुप्तं अंगर्सर्वस्वेग्रीप्तं सर्वेण हीयते " इत्युत्तरार्धपाटः । तथा च भर्जादिभी रक्षितामरिक्षतां वा द्विज्ञातिक्षियं यदि रुद्धो गछेत्तदा तयोर्भध्ये अरिक्षतां आवसन् गच्छन् । अंगं च सर्वस्वं च ते दंड्ये यस्य ताहरो भवति । अत्र विरोषाश्रवणेऽपि अंगं िलंगमेव । "आर्थ्यस्थ्यभिगमने लिंङ्कोद्धारः सर्वहरणं च गोप्ता चेद्दधोऽधिक " इति (अ. १२ स्. २।३) गौतमवचनात् । तथा च लिगच्छेदः सर्वस्वहरणं च कार्यम् । रिक्षतां तु गच्छन् धनेन शरिरेण च हीनःकार्यः सर्वस्वं गृहीत्वा वध्य इत्यर्थः । अंगर्सवस्वैरिति पाठे व्यक्त्यभिप्रायबहुवचनम् । अत्र पाठान्तरम् धृत्वा प्राचा व्याख्यानम् असंबद्धम् स्पष्टमेवेत्युपेक्षितम् । अविशोदिति पाठान्तरम् । अभिगच्छेदिति तद्र्यः । येनांगेनापराद्धं तेन हीन इति कल्पतस्वक्तम् तच युक्तम् । उक्तगौ-तमाविरोधात् ।

१० 'नार्या' इति तुर्यपादं व्याचष्टे । **नार्याः पुनिराति ।** निगमनस्य स्थलद्वये तद्न्द्रत्यान्यूनतापित्ततां निराचष्टे । **आनुलोम्ये** गमने गुणवद्गुणवान् । सवर्णे विति । प्रातिलोम्यस्थले ।
प्रोक्तदंडविधानात्तदन्यत्र गमनेऽल्पदोषत्वेनांगच्छेदाभावस्य युक्तिसिद्धत्वेनानुलोम्यगमने गुणवद्गुणवदाद्यपेक्षयोचितधनदंडः सवर्णागमने त्वधिकारादिदंड इति देशाद्यनुसारेण दण्डः कल्प्य इत्यर्थः ।
सनुना तु (अ. ८ श्लो . ३६१) '' न संभाष^{ां} परस्त्रीभिः प्रतिषिद्धः समाचरेत् । निषिद्धो
१५ भाषमाणस्तु सुवर्णं दण्डमईतीति '' सामान्येनोकम् षोडशमाषात्मकं सुवर्णम् ।

विशेषमाह । अयं चेति । राज्ञः अभिषेकादिगुणयुक्तस्य दुष्टशासनकर्तव्यतयेति भावः । न द्विजातीति । न वर्णत्रयस्येत्यर्थः । मात्रं कात्स्न्यें । गौतममाह । ब्राह्मण इति । तत्रापि विशेषमाह । यदा त्विति । स्वयमेव द्विजातिरेव । कार्यातिपातशंकया हेतुत्वस्योक्तत्वाद्धेत्वन्तरम् । मानवमाह (अ.८) शस्त्रमिति । उपरुष्यते इत्यग्ने नेत्यतः पूर्वम् ।

२० " द्विजातीनां च वर्णानां विष्ठवे कालकारिते ॥ " ( ३४८ )

" आत्मनश्च परित्राणे दक्षिणानां च संगरे । स्त्रीविप्राभ्युपपत्ती च व्रन् धर्मेण न दुष्यति ॥ (३४९) " गुरुं वा बालवृद्धी वा बाह्मणं वा बहुश्रुतम् । आततायिनमायातं हन्यादेवाविचारयन्॥" (३५०)

इति पाठः । एतत् सूचनार्थमेव मध्ये तथेत्युक्तम् । ब्राह्मणादिभिः खङ्गाद्यायुधं ब्राह्मं यत्र काले वर्णानामाश्रमाणां च साहंकारादिभिंधेमेः कर्तुं न दीयते । तथा तेषामराजकेषु राष्ट्रेषु पर- २५ चक्रादिना कालजनितसंगरादौ आत्मरक्षार्थं च दक्षिणानां गोधनाद्यपहारिनिमित्ते, संबामे च स्त्रीब्राह्मणापत्तिनिवारणार्थं च धर्मयुद्धे नान्यगतिकतया परान् हिंसन् न दोषभाक् भवति । परमारणेऽप्यत्र साहसदंडो न कार्यः । गुरुबालवृद्धचहुश्रुतब्राह्मणानां अन्यतमसमं वधायतमागच्छतं विद्यावित्तादिभिरुकृष्टं पलायनादिभिरिप सनिस्तरणाशकौ निविचारमे हन्यात् । अत पद्मोशानाः "गृहीतशस्त्रमाततायिनं हत्वा न दोषः" । कात्याय-ोऽपि ।

३० "आततायिनि चोत्कृष्टे तपःस्वाध्यायजन्मभिः। वधस्तज्ञ तु नैव स्यात् पापे हीने वधो भवेदिति ॥" मेधातिथिगोविंद्राजौ तु स्नीविमेति पूर्वस्यायम् वादः। गुर्वादीनपि हन्यात् किसुतान्या-निति व्याचक्षाते। नातेति। जनसमक्षे रहिस वा ॥ २८६॥

#### याज्ञवल्की रे २८७ श्लोकः।

विवेति । उत्तमं दंडं द्यादित्यस्यार्थः उत्तमेति । अथेत्यस्यार्थः तद्नेति । विवा-हानभिमुखीमित्यर्थः । 'सवर्णामि'त्यनेन सवर्णादिति पाठः सूचितः । सवर्णास्विति पाठे भिन्नं वाक्यं तिह्रषये पूर्वोक्तं बोध्यामित्यर्थः । तुर्यपादार्थमाह । उत्कृष्टोति । बाह्मणस्य तद्संभवादाह । क्षत्रीति । 'पातीति ' तत्र तद्धर्तृपरमिति भावः । तात्पर्यार्थमाह । दंडेति । तस्य दुष्टत्वेनायोग्यत्वेना-निवकारिणा कृतमकृतमेवेति न्यायेन तस्याः कन्यात्वाक्षत्या विवाहो भवत्येवेति भावः ॥ २८७॥

#### याज्ञवल्कीये २८८ श्लोकः।

दंडामिति । दंडाभावपूर्वकं दंडमित्यर्थः । तात्पर्यार्थमाह । न दंड इति । 'अन्यथा तु ' इत्यस्योव न्याख्या अनिच्छंतीमिति । 'अधर्म ' इत्यस्यार्थः प्रथमेति ।

#### ( उत्तरार्धः । )

कन्योति । एवमपहारदंडमुक्त्वेत्यादिः । अत्र सर्वत्र कन्यापद्मविवाहितापरं लक्षणया पातिलोम्यादौ वश्यमाणत्वादाह । अनुलोमास्विति । आद्यपादं व्याचष्टे । यदीति । सकामादौ विशेषाणां वश्यमाणत्वादाह । अकामामित्यादिना । नत्वश्चतादिनेत्यस्य फलमाह । यदा पुनिति । तामेवाह कल्पतरः । द्पेणिति द्पीदिभिः । समानजातीयां कन्यां गमनवर्जमंगुलिपक्षेप्यमात्रेणैव कुर्यात् नाशयेत् । योनिं क्षतवतीं कुर्यादिति यावत् । तस्य शीममेवां- १५ गृलिद्वयं छेत्तव्यम् । स षट्शतदंडं चार्हतीत्यर्थः । अकामामित्यस्य फलमाह । यदा पुनिरिति । अत एव न बलात्कार इति भावः । पूर्ववत् अंगुलिपक्षेपादिमात्रेण योनिक्षतकरणेन । तेनैव मनुनैव । एवमग्रेऽपि । पस्तुल्यो नागुलीति १ पाठः । तुल्यः समानजातिरिच्छंतीं कन्यामंगुलि- पक्षेपमात्रेण नाप्ययमंगुलिच्छेदं नाहिति न प्राप्नोति किंतु अतिप्रसक्तिनिवारणाय दिशतं दंडं दाप्य इत्यर्थः । यत्कन्यां नागुलीति पाठान्तरम् । दूषयानस्तु नांगुलीति च ।

विशेषांतरमाह । यदा त्विति । एवेन पुरुषव्यवच्छेदः । एवं मानवेऽपि अत एवाह । विदग्धा वेति । तत्रापि उभयत्रापि । 'विशेष ' इत्यादि जातावेकवचनम् । कन्यैवेति । या कन्यैव परां कन्यां अंगुलिपक्षेपमात्रेण कुर्याचाशयेत् तस्या दिशतो दंडः स्यादित्यर्थः । अस्योत्तरार्धं "शुल्कं च दिगुणं द्याच्छिफाश्चैवामुयादशेति " । सा तत्ककन्याशुल्कं यत्तु दिगुणं तत् कन्यापित्रे द्यात् । दशाशिका अत्र जटारज्वादिमहारास्तांश्चामुयादिति तद्र्यः । २५ एवमाद्यायामुक्तवा दितीयायामव्यहितमाह । या त्विति । अत्र स्नीति सामान्यमप्यर्थोदिद्ग्धापरम् । या तु विद्ग्धा कन्यां प्रकुर्व्यात् प्रगतं कुर्याचाशयेत् दृष्येत् अंगुलिप्रक्षेपमात्रेण सा सद्यस्त-त्क्षणमेव शिरोमुंडनं अर्हति । तथेति च समुच्चये । विद्ग्धत्यादेवांगुलिद्वयव्यापार इत्याह । अंगु-ल्योरिति । तर्जन्यंगुष्ठयोरित्यर्थः । तयोश्छेद्नं चाहिति गर्द्भेन राजमार्गे वहनं चाहितीत्यर्थः । अपि वेति पाठे अपि वा चार्थे, एवेति एवे चेति पाठे अप्येवम् । आद्ये मानवे कुर्योदित्यस्य विकुर्योत् दृष्ये- ३० दित्यर्थः । तत्किलितमाह । कन्यामिति ।

१ ड-विशेषेय ।

' उत्तमायामिति ' द्वितीयपादं व्याचष्टे । यदा पुनरिति । अस्याभिगमनपरत्वे संमतिमाह । उत्तमामिति । हीनजातित उत्कृष्टामिच्छंतीं गच्छन् जात्यपेक्षयाऽङ्गच्छेद्नमारणात्मकं वधमर्हतीत्यर्थः । अनुक्तविशेषानाह । **यदेत्यादिना । गोमिथुनं** तद्रूपं शुल्कं इति । इच्छति पिता । तदेव गोमिथुनमेव । सर्वत्र मानमाह । यथाहेति । शुल्किमिति । इदं तदुत्तरार्थम् । समां समान-५ जातीयां तु इच्छंतीं गच्छन् यदि पिता इच्छेत् तदा पितुः शुल्कं दद्यादौत्मरूपं तथा च न दंड्यः सा च कन्या तेनैवोढव्येत्यर्थः । तृतीये मानमाह । योऽकामामिति । तत् पूर्वे एकं यद्यव्यवहितः अयं श्लोकः यस्तुल्यजातिरिनच्छंतीं कन्यामभिगच्छित स तत्क्षणे एव विमेतरो लिंगच्छेदनादिकं वधमहीत इत्यर्थः । इच्छोदिति सूचितस् । द्वितीये मानमाह । सकामामिति । इच्छंती तु गच्छन वधार्ही मनुष्यो भवति, किं तु तत्रोक्तरीतिरेवेत्यर्थः ॥ २८८ ॥

याज्ञवल्कीये २८९ श्लोकः।

१० किंचेति । कन्यास्थले प्रसंगादन्यद्प्याहेत्यर्थः । पूर्वेकवाक्यत्वायाह । स्त्रीति । अपस्मारेति । गौमिर्गीति प्रसिद्धः । राजयक्ष्मा क्षयः । आदिना कुष्ठी इत्यादिरूपाः । दीर्घाः अचिकित्स्याः कुत्सिता रोगाः संसृष्टं पाप्तं मैथुनं संभोगो यया तस्या भावस्तत्त्वं ते चैत-दाद्यश्व, ते च ते दोषाश्च तानित्यर्थः। 'मिथ्ये'त्यस्यैव व्याख्यानं विद्येति । न च " अदुष्टाञ्च १५ त्यजन् दंड्यो दूषयंस्तु मृषा शतमिति '' पाक् स्वोकैविरुद्धमिद्म् । तत्र मिथ्याशंसने शतस्यो-कत्वादिति वाच्यम् । तस्य प्रकृतत्वाद्दरविषयत्वादेतस्य तद्न्यवरविषयत्वादिति भावः । मम तु मतिभाति कन्यैव कन्यामिति मनूक्तविषयकमाद्यपादोक्तम्, मिथ्येत्यत्र भावप्रत्ययांताद्री आद्यजंता-दाप् स्त्रीविशेष्यभूता, तथा च तादृशस्त्रीविषयको द्वितीयपाद् इति न विरोधशंकाऽपि । आधे मूलोक्तमनूक्तयोर्विकल्प इति । गो: पृथक् वक्ष्यमाणत्वादाह । गोव्यतीति । गोतमोऽपि-२० 'पशून् शतं दाप्य ' इत्यादि । मात्स्येऽपि---

"तिर्घग्योनौ तु गोवर्ज मैथुनं यो निषेवते। स शतं प्रापुयादृण्डं तस्याश्च यवसोद्कामिति "।। 'हीनामि'त्यस्य व्याख्या **अन्त्योति** । अन्त्यगामिनीं न त्वन्त्यामित्यर्थः । तत्र विशेषस्य वक्ष्यमाणत्वात् । अतः एव नारदः ।

" पशुयोनावतिकामिनियः सततं शतम् । मध्यमं साहसं गोषु भवेद्न्त्यावसायिष्विति ॥ " २५ " अकन्येति तु यः कन्यां ब्रूयाहोषेण मानवः । सततं प्राप्नुयाद्दंडं तस्या दोषमद्रीयन् ॥ " इति । (अ. ८ श्लो. २२५)

मनुरिप 'दूषयंस्तु मृषा शतमिति' मूलोक्समानाविषयः। तत्र 'तस्या ' इत्यादि हेतुगर्भविशेषणं यत् उक्तदोषं क्षतयोनित्वादिकमविभावयन्नतो युक्तोऽस्यायं पणशतात्मको दंड इत्यर्थः । " यस्तु दोष-वर्ती कन्यां अनाख्याय पयच्छति । तस्य झुर्यान्नृपो दंहं स्वयं षण्णवितं पणानिति '' (अ.८१छो.२२४) ३० अत्रैवानुश्यपसंगे पाग्वन्मनूकम् तु ' अनाख्याय दद्दोषं दंड उत्तमसाहसमिति ' मूलोकविषये पक्षान्तरं बोध्यम्। नोन्मत्ताया इति सामान्येनोक्तत्वात्तत्र दंडिवशेषोक्त्यर्थं तत् । अत एव दोष उन्मा-दादिः । स्वयमित्यादरार्थम् । यतु " पाणियहाणिका मंत्राः कन्यास्वेव पातिष्ठिताः । नाकन्यासु काचिच्चणां लप्तधर्मिकिया हि ताः। " ( अ. ८ श्लो. २२६ ) इति तत्रैव मनुस्तस्यायं भावः । अर्य-

१ ड-आत्मानुरूपम् । २ आचारे श्रो. ६६

मणन्तु देवं कन्या अग्निमैरयते'त्याद्यो वैदिका मनुष्याणां विवाहसंबंधिनो मंत्राः । कन्याशब्द्- श्रवणात् कन्यास्वेव व्यवस्थिताः । अकन्याविषये क्वचिद्धर्मशास्त्रविवाहसिद्धये न व्यवस्थिताः अस- मवेतार्थतापत्तेः । अतस्तत्र हि यतः ताः क्षताः वैवाहिकमञ्जैः संस्क्रियमाणा अपि गैतधर्मविवाहादि- शालिन्यो भवंति, नासौ विवाहो धर्म इत्यर्थः । न तु क्षतयोनेर्विवाहादि मंत्रहोमादिनिषेधकिमदं या गर्भिणी संस्क्रियते (मनु. अ. ९ श्लो. १७३) । तथा ' वोद्धः कन्यासमुद्भवमिति '' क्षतयोनेरिण मनुनेव विवाहसंस्कारस्योक्तत्वात् । देवलेन तु—

" गांधर्वेषु विवाहेषु पुनर्वेवाहिको विधिः। कर्तव्यश्च त्रिभिवेणैंः समयेनाग्निसाक्षिकः " इति । गांधर्वेषु विवाहेषु होममंत्रादिविधिरुक्तः । गांधर्वश्चोपगमनपूर्वकोऽपि भवति तस्य क्षत्रिय-विषये सुधर्मत्वमपि मनुनोक्तम्। अतः सामान्यविशेषन्यायेनान्यविषयोऽयं क्षतयोनिविवाहस्याधर्मत्वोप-देश इति ॥ २८९ ॥

#### याज्ञवल्कीये २९० श्लोकः।

साधिति । तत्त्वं च सर्वपुरुषगामित्वम् । अन्वयायाह । गच्छान्निति । उक्तेति । अभ्युपेत्य ग्रुश्रूषाख्याप्रकरणे ' गृहजातस्तथा क्रीत ' हैत्यादिना साम्यादुक्तपायलक्षणा इत्यर्थः । निमित्तांतरत्व-निरासायाह । ता एवेति । अत एव नारीष्विति कल्पतर्वादिपाठे नैकवाक्यता । पुरुषां-तेति । स्वभोग्यत्वं तु नैवेति भावः । पुरुषोति । स्वामिभिन्नेत्यर्थः ।

एवं पदार्थानुक्त्वा वाक्यार्थमाह । यदेति । एवो दाप्य इत्यत्रान्वेतीत्याह । तथा चेति । समुचयार्थकात् समुदितादित्यर्थः । "स्वैरिणी या पतिं हित्वा सवर्णं कामतः श्रयेदि"त्युक्त- लक्षणा स्वैरिणी । आसां साधारणत्वं प्राग्वदेव साजिध्यात् संभवाचाह । भुजीति । तदेवाह । सवेति । गम्यास्वपीत्यनेन स्वितामिदम् । अनुवृत्तिलब्धमाह । गच्छिन्निति । अपिविरोधे ।

ननु साधारणत्वे कथं दंड अत आह । परेति । एतद्र्थमेव विशेषणद्वयमिति भावः । २० अज्ञाह्मणीति स्वैरिण्या विशेषणम् । ताहरी सा च ब्राह्मणीत्युपलक्षणमतः क्षत्रियादिश्वियोऽपि स्वैरिण्यो गृह्मंते । दासी चासौ निष्काशिनी चेति व्याख्यानमपास्तम् । मूलाशुद्धः करुपतर्वाद्य-संमतत्वात् पूर्वनिपाते वैपरीत्यापत्तः पृथक्पद्त्वस्य व्याख्यानुसंमतत्या स्पष्टत्वाचेति दिक् । दोषमुप-पाद्यति । गम्यास्वपीति । आस्वित्यर्थः । गम्या अपीति पाठान्तरम् । हिर्निश्वये । यत् यस्मात्ताः । भुजिष्याः स्वैरिण्याद्यः । परेषां परिग्रहो यासामित्यर्थः । यास्ता इति पाठे हिर्हेतौ । 'निष्केति । २५ पृथक्पदं दासीविशेषणमिति आह । निष्केति ।

तदर्थं कथयन्नाचे आह । स्वैरिणीति । द्वितीये आह । वर्णानामिति । अध्यायभेदेन भिन्नमिद्म । नन्वस्तु आसां वर्णस्नीत्वं तथापि सर्वपुरुषगामित्वेन साधारणत्वमित्यविरोधेन तत् कथं न युक्तमेवेति तद्भावः कथमत आह । न च वर्णस्त्रीणामिति । पुरुषपरत्वविधानात् पुरुषांतरपरत्व- निषेधाचेति भावः । तत्राचं तु 'स्वदारनिरतः सदे'त्येषे स्फुटीभविष्यति । द्वितीयमाह । द्वःशीलः ३०

१ फ-ड-अगतधर्मिवाहदि। २ मि. पृ. ११९ पं. ९४

इति। दुष्टस्तभावः। कामोति। यथेच्छाचारी । इदं जीवविषयम् । अथ मृते आह । कामन्त्विति । मन्नविषदं वचनद्दयम् ।

तथाविभेति । रक्षिताया इत्यर्थः । अदृष्टाया इति यावत् । न च दासीति । दासीत्वा-दित्यर्थः । यथा स्तकादित्यर्थः । यथा स्तकादिवशात् स्वधर्मभूतसंध्यावधिकाराभावस्तथा दासी-प त्वात् स्वधर्मभूतस्वपुरुषपरत्वावभावेन सर्वपुरुषगामित्वेन साधारणत्वमिति भावः । हि यतः । सूतकादौ वचनात्तद्भावे। न स्वरूपेण, अत्र तु न वचनं नापि स्वरूपतः । पत्यौ दास्यं पारतन्त्र्यमेव शिष्यस्वादिवदतो न स्वधर्मपरित्यागो येन साधारणं स्यादिति भावः।

ननु मा भृहासीस्वैरिण्योः साधारणत्वाभावाद्गम्यत्वं वेश्यायास्तु तत्वेन तत्वं भवत्वित्यत्त आह । नापीति । किमियं वेश्या वर्णानुलोमजभिन्नगम्यजात्यंतरांतःपातिनी उत्तमवर्णानुलोमजातः१० पातिनी, उत प्रतिलोमजान्तःपातिनी, तत्राद्यं दृषयति । वर्णानुलोमिति । तादृशजात्यंतराभावादेव तद्तःपातित्वेन गम्यत्वाभाव इत्यर्थः । न द्वितीय इत्याह । तद्तिरिति । तत्वे च सित स्वैरिण्या-दिवदेव तासां पतिपरायणत्विषानाद्गम्यत्वमित्यर्थः । नापि तृतीय इत्याह । प्रतीति । नेतरा-मिति । अतिशयितगम्यत्वाभाव इत्यर्थः । नितरामिति पाठेन तासामिति पाठः । प्रतिलोमजानां दृष्टत्वेन तद्गमनस्य निषिद्धत्वादित्यर्थः । गम्यात्विमिति पाठः । गम्यत्विमिति पाठे सामान्ये १५ नपुंसकम् । एवमन्यत्रापि ।

स्वेरिण्याद्यो न परपुरुषगम्या इत्याक्षेपमुपसंहराति । अत इति । उक्तहेतुजातादित्यर्थः । तासां वर्णानुलोमपतिलोमजानां सर्वासां स्वेरिण्यादीनां निंदिते परपुरुषोपभोगस्य निषिद्धत्वात् गमनस्य च । तस्यापि समाधत्ते । सत्यमित्यादिना । सत्यमित्यर्थीगीकारे तथापि योजयति । कित्विति । अत्र नारदीयादौ पित्रादिति पित्रादिरक्षकश्च राजदंडश्च तयोर्भयादिस्तपृष्टपृदोषा- भावाद्गम्यत्वस्त्पवाचो युक्तिवचनमात्रमित्यर्थः । अयं तासामेव दण्डोऽस्त्वत आह । स्वेरिण्याद्या- नामिति । हेत्वंतरं मानवमाह । कन्यामिति । संभोगार्थमुत्कृष्टं उत्कृष्टजातिपुरुषं भजंतीं सेवमानां कन्यां किंचिद्पि स्वल्पमि दंडं न दापयेदित्यर्थः । अयं निषधः कन्याया एव, न स्वेरिण्याद्याया अत आह । लिंगेति । लिंगदर्शनं निमित्तमात्रं नाव्यभिचारितो हेतुरतः कन्या- ऽपि स्वी स्वैरिण्याद्योऽपि स्त्रिय इत्युभयत्र स्वीत्वाविशेषात् कन्याया इव स्वैरिण्यादीनामिप २५ दंडाभाव इति भावः।

नतु यदि दंडायभावस्तर्हि पायश्चित्तमपि न स्याद्त आह। प्रायश्चित्तमिति। स्वधर्मीति। बहुनीहिणा पूर्विविशेषणम् । गम्यानां स्त्रीणां उक्तानां गंतूणां पुरुषाणां।

वेश्यास्थले विशेषं प्रतिपाद्यितुं वेश्यावर्णाद्यंतःपातित्वं कश्चिद्नुमानप्रमाणकमाभिमतं तन्मतमाह । यत्पुनिरिति । वेश्येति पक्षः वर्णोति साध्यम् । आदिना प्रातिलोम्यपरिप्रहः । मनु३० व्यत्वजात्येति हेतुः । यत्र यत्र तथा तत्र तत्र तत्त्वं । यथा ब्राह्मणादिषु इति दृष्टान्तः । आदिना
मूर्धाविसकादिपरिप्रहः । हेतोव्यभिचरितत्वेन दृषयाति । तस्त्रोति । कुंडोति । तैहेतोर्व्यभिचरितत्वादित्यर्थः । कुण्डादीनामाचाराध्याये वर्णाद्यन्तःपातित्वाभावस्योक्तत्वेन तत्र हेतुसन्त्वेऽपि साध्यस्याभावादिति भावः । स्वमतमाह । अत इति । उक्तहेतोरित्यर्थः । तामेव जातिमाह ।
वेश्यास्थिति । अनिषिद्धपुरुषोत्पन्नत्वे साति तत्र पुरुषसंभोगवृत्तित्वं वेश्यात्वमित्यर्थः ।

एतत् घटकेर्वेश्याया अपीदमेव लक्षणमिति ध्वनयन् दृष्टांतमाह । ब्राह्मेति । अनादित्वाच संसारस्य न दोषः । एतत् सूचनार्थमेवानादिरित्युक्तम् । हि यतः । पञ्चमीति ब्राह्मणत्वादिचतुष्टयोपक्षया पञ्चमीत्यर्थः । प्रकृतं तमेव सविशेषमाह । अत इति । इद्मनवरुद्धायाम् । तञापि विशेषमाह । तासु चोति । वेश्यास्वपीत्यर्थः । पशुवेश्योति पञ्चभिगमने वेश्याभिगमने चेत्यर्थः ॥ २९० ॥

उत्तरसंगत्यर्थे फलितमाह । अवसन्द्वास्विति । विद्धत इत्यस्यैव विशेषणं दंडविधानादिति पाठांन्तरम् । नास्वतंजीति पाठः। तस्य अभुजिष्यागमने दंडाभावस्य ।

## याज्ञवल्कीये २९१ श्लोकः।

तत्र हेतुं सूचयनाह । पुरुषेति । दासीग्रहणमुपलक्षणिमत्याह । स्वैरीति । प्रसह्येत्यस्य व्याख्या बलादिति । तस्यैव विवरणं शुल्केति। अत एवाभुजिष्यास्वि अस्य दंडः । एतावतैवास्य वचनस्य सार्थकमन्यथाऽसंबद्धतं वैय्यर्थं च स्पष्टमेव । उत्तरार्धतात्पर्यार्थमाह । यदि बहव १० इति । सूलेऽसौ दास्यादिरत एव व्याख्यानं सामान्येन । परीति तत्परिच्छिन्म । समुदितं वस्तिनत्यर्थः । विशेषमाह । यदा पुनरिति । भाटिं सर्वमूल्यम् । तेषां बहूनां शुल्कस्य दत्तत्वात् । तत्रापि विशेषमाह । यदीति । तथा च तत्र तथाकरणे पुनरिप तेषां दोष एवेति भावः । आदिसंग्राह्यं वचने एव व्यक्तम् । वखवा गृहदासी ॥ २९१॥

# याज्ञवल्कीये २९२ श्लोकः।

१५

नन् यदा पुनरित्यादिना तेषां दोष एवेति भावः आदिपतिपादनेन तस्या एव तत्र दोष-लाभेन स वक्तव्योऽत आह। गृहतिति । मौलमिद्म् । किंचेत्यपपाठः। अत्रापि वेश्याग्रहणसुपलक्षण-मत एव सामान्येन व्याचिष्टे । यदा त्यिति । नारदोक्तेरवाह । 'स्वस्थाऽप्यर्थपतिमिति ' तृतीय-पदस्यायमर्थः । शुक्ले निश्चितेऽप्यगृहीते सति नेच्छंति सा समं यावित्रश्चितं तावदेव दाप्येति स्पष्ट-त्वाद्याख्यात्रा नोक्तम् । तुर्यपदार्थमाह । तथेति । स्वयं स्वयमेव । शुल्केति । यहत्तं तस्य हानि- २० रेवेत्यर्थः । स्पष्टत्वाय नारदीयमाह । शुल्किमिति । यत इत्यादि । तथा तद्दत् । तेनैव नारदेनैव । अप्रेति । शुल्कमप्रयच्छन् । पुमान् तथा बलात्कारणे व्याध्याद्यभिभ्तां स्नियं मुक्त्वा शुल्कमष्टगुणं यावनिर्णीतं तद्ष्युणं दाप्यः । **धात**स्ताडनम् । पादेति पठांतरं । तथा च ताडनदंतक्षत-नखक्षतादिभिः करणैर्य आक्रमो वशीकरणं तेन संगच्छंश्च। तथा अयोनो योनिभिन्नेत्यर्थः । मुखादौ योऽभिगच्छेत् स च तथा शुल्कमद्त्वा एकमेव वा शुल्कं द्त्वा यो बहुभिर्वासयेत् संगमयित तां २५ सोऽपि तथेत्यर्थः। विनयं दंडो। ननु कथं दोषनिर्णयस्तत्रात आह। वेश्या इति । तत्र तदीयगृहे। याः कामुक्यः साभिलाषास्तद्गृहवासिन्यः प्रधानाः वृद्धाः वेश्याः संति ताः मिथः समुत्पनविवाद-रूपकार्यविषयकसंशये सित तत्परिहाराय निर्णयं जानतीत्यर्थः । वेश्याः प्रधाना ये तत्र कामुका इति पाठान्तरम् । तदा तत्र वैश्यैव प्रधानमुपजीव्यमेषामेतादृशास्तदृहानिवासिनो ये कामुका विटाः संती-30 त्याद्यर्थः ॥ २९२ ॥

# याज्ञवल्कीये २९३ श्लोकः ।

किंचेति । एतत् प्रसंगादन्यद्प्युच्यत् इत्यर्थः । एवमग्रेऽपि । अन्यत्र दंडाल्पत्वस्य गमनादौ सत्वादाह । स्वेति । अयोनावित्यस्यार्थो मुखादाविति । आदिना पायुपरिग्रहः । पुरुषमेवेति

तदिभिष्ठसः सन्मेहोति मूत्रादिकं करोति सोऽपि । वा चार्थे । ग्राहिता प्रागुक्ता । निन्दिदं 'राज्ञी प्रविज्ञता धात्रीति । प्रागुक्तनारदृष्टित्यं अत्र हि पणानां चतुर्विशतिर्देड उक्तस्तत्र शिश्वस्योत्कर्तनं दंड उक्त इति चेन अत्यन्तगुणवत् प्रविज्ञतागमनिषयकं तत्रैवाम्यासिषयकं वा नारदीयिमिदं तु तदन्यविषयकमिति भेदात् ॥ २९३ ॥

# याज्ञवल्कीये २९४ श्लोकः।

स्वङ्कचेति ल्यबंतः पाठः। त्वङ्कचेति पाठे आर्षो ल्यब् व्याख्यानानुसारात् यदा त्वङ्कच इति प्रथमांतपाठः तेनाङ्क्यः सन् प्रवासयेदित्यर्थः। तदा व्याख्यानफालितार्थकथनपरतया नेयं शूद्रस्यात्रे
विशिष्योक्तेराह । त्रैवर्णीति । न्यूनं मध्ये समूलं पूरयति । सहस्रामिति । बध्यत इति बन्धः
कुत्सितश्चासौ बन्धश्च कुबन्धस्तदर्थमाह। भगेति। पागुक्तमनोरिति भावः। तदिशेषणफलमाह। प्राय१० श्चित्तेति । दंडनमेवेति । नांकनमित्यर्थः। तथेत्यस्यार्थः चाण्डाल्यभीति । सर्वसंग्रहायाह ।
उत्क्रष्टेति ॥ २९४॥

॥ इति स्त्रीसंग्रहणप्रकरणम् ॥

## अथ स्त्रीपुंसयोगारुयप्रकरणः ।

स्त्रीपुंसयोगाख्यम् अपरमपीत्यर्थः । विवाहादीति । यत्र विवादपदं स्त्रीणां पुंसां च १५ विवाहादिविधः कीर्त्यते अनुमतितद्भावाभ्यां प्रसिद्धो भवति तिह्ववादपदं स्त्रीपुंसयोगसंज्ञमुच्यते इत्यर्थः यत्र विवाहे स्त्रीपुंसयोर्व्यतिक्रमो भवति तद्यथा कन्यका यं वरमेकं किचित् वृणीते स वियमाणः पुमान् न तां दोषशंकादिना एवमेव पुरुषोऽपि यां काश्चित् कन्यकां पीरेणतुमच्छिति कन्या तु न तं दोषशंकादिना । एवं च एतादृशस्थले तत्र व्यवहारप्रवृत्तिरेव विवाहादीत्यादिना । परपुरुषतः स्त्री रक्षणीया । सर्वात्मना स्त्रियाऽपि भर्तृपरया भाव्यमित्यादि नियमपरियहः । एतत् सर्व स्त्रीपुंसयोगास्थं विवादपद्। २० मिति भावः । आदिप्राह्ममेवाह । मनुरपीति । अत एवादो नारदृपुक्तवाऽभे मनूक्तीरिति बोध्यम् । स्त्रैःस्वीयैभैनीदिभिदिवानिशं सद् विषयेष्वानिषद्धेष्वापि स्तरसादिविषयेषु सज्जंत्यश्च प्रसक्ता अपि आत्मनो नो वशे आयत्ततायां संस्थाप्याः आत्मवशाः कार्या इत्यर्थः। "पुरुषस्य स्त्रियाश्चेव धर्म्यं वर्त्यनिति । संयोगे विप्रयोगे च धर्मान् वक्ष्यामि शाश्वतम् " इत्यस्यादिः (मनु. अ. ९ श्लो. १) इत्यादीत्यादिना " पिता रक्षति कौमारे भर्ता रक्षाति यौवने । रक्षन्ति स्थविरे पुत्रा न स्त्री स्वातंत्र्यमदीति" इति (मनु. अ. ९ श्लो. ३) इत्यादि परिग्रहः । इदं च यथासंभवं द्रष्टव्यम् । निषद्ध इति पूर्वमिति भावः । प्रत्यक्षेण साक्षात् । अभिचारे व्यतिक्रमे जातस्य तत् समू-हस्य । न्यूनतामत्र परिहरिति । एतच्चिति । स्त्रीपुंसधर्मजातिनत्वर्थः । पुनः पश्चात् ॥

इति स्त्रीपुंसयोगपकरणम् ॥

१ फ-अन पत्र वाऽऽदौ । २ ख-भ्रात्रादिभिः।

# अथ प्रकीर्णप्रकरणः ॥ २५ ॥

चस्त्वर्थे। एवं पुनरिप यथेति पाठे। आदौ स योज्यः। तानेव द्र्शयतीत्यर्थः। तथेति पाठे समुचयार्थः सः। तत्कर्मेति। राजकार्याज्ञा विषयकर्मेत्यर्थः। पुनः प्रदानमिति। कत्री अकृतस्य कर्मणः प्रत्यर्पणम्। राज्ञे इत्यर्थः। पुरः प्रदानमिति पाठे दुर्गकुल्यास्थानादिरूपपुराणां पालनाय दान-मित्यर्थः। पुत्रप्रधानसंभेद् इति कल्पतरुपाठः। प्रकृतीनां संभेदो मेलनं अंतर्जातिः परस्परिवरोधो ५ वा पावंड्यादि चतुर्णी लक्षणान्युक्तानि। तेषां धर्मव्यत्यया इत्यर्थः। प्रतिग्रहस्य विलोपो नाशः। यथा ब्राह्मणाय प्रतिग्रह्योग्याय पात्रभूतायादानं यद्दा प्रतिग्रहस्य खूदादौ प्रतिग्रह्मवृत्तेर्विलोपः। सप्रतिग्रह्ववाद्वेति पाठान्तरम्। आश्रमिणां ब्रह्मचार्यादीनां कोप उद्देकः स्वधर्मभेशे इति यावत्। मिथो विरोधो वा तेषां कोपः लोपश्चाश्रमिणामपीति कल्पतरौ पाठः। वर्णसंकरयोद्धिश्च तेषां वर्णानां संकराणां च वृत्तेर्नियमः। व्यस्तपाठो न युक्तः। पूर्वोक्तेषु ऋणादानादिपदेषु यद्धवहारपदं न १० दृष्टं तच्च सर्वे प्रकीर्णके स्यादित्यर्थः।

'प्रकीर्णकं पुनर्जेयो व्यवहारो नृपाश्रय' इति कल्पतरूक्तपाठश्रमाय तावन्मात्रं प्रतिज्ञासिद्ध्यर्थं व्याचष्टे। प्रकीर्णक इति । तदाख्ये इत्यर्थः। नृपाश्रया इति व्याचष्टे। त्रपसमेति। तात्पर्यार्थमाह। तृप एवेति। एवेन पाड्विवाकादिव्यवच्छेदः। तत्र तद्दिषयविवादेषु। आस्थाय निश्चित्य। नन्वेताव-ताऽपि तछक्षणं नोक्तमिति प्रतिज्ञाहानिरेवात आह। एवं वद्तेति। इत्येवं परिगणितानां विवा- १५ द्वानां निर्णयोऽत्र प्रकीर्णके इति वदता नारदेनेत्यर्थः। एवं च वद्तेति पाठान्तरम्। यो वृपेति। केवळन्पाश्रयः तन्मात्रनिर्णयो व्यवहारः स इत्यर्थः।

# याज्ञवल्कीये २९५ श्लोकः।

अथ मूलमनतारयाति । तत्रोति । मकीर्णके इत्यर्थः । पारेति । समाहारद्दन्दः । समुद्राभ्रादिति-नत् मयोगः । तदाह । पारेति ॥ २९५॥

#### याज्ञ ल्कीये २९६ श्लोकः।

असंबद्धत्वादाह । प्रसंगादिति । अपिना तस्यापि समुचयः । भक्ष्ये अर्हार्थे कृत्य इत्याह । सक्ष्यानहिति । क्षत्रियादेखे उपादानाद्विजपदं ब्राह्मणपरिमत्याह । ब्राह्मणमिति । तत्रापि संभवात् प्रकारहयमाह । अत्यानिति । 'दृष्ये'त्यत्रार्थो ल्याबित्याह । दृषयतीति । तत्तात्पर्यार्थ-माह । खादेति । दंड्यः । तथाकारकः । एवं उक्तप्रकारेण अस्याग्रेऽप्यनुषंगः । प्रत्यासत्तेराह । २५ प्रथमेति । 'अद्धिकेन ' ' अत इनीति '' (व्या. स्. ५।२।११५) उन् । न्यूनतां निराचष्टे । छञ्चनाद्यति । भक्षाईत्वेऽपि निषेधात्तत्वं कहनीयमिति दोषतारतम्यं च प्रायश्चित्तविधिपर्या-छोचनया ब्राह्मणत्वादिवर्णसगुणनिर्गुणत्वादिपर्याहोचनया च ज्ञेयमिति भावः ॥ २९६ ॥

#### याज्ञवल्कीये २९७ श्लोकः।

किंचेति । प्रकृते अपराधिवशिषेण दण्डिवशिषांतरमाहेत्यर्थः । एवमभेऽपि । क्रूटैरित्यस्य ३० व्याख्या रसेत्यादिः । रसवेध रसांतरप्रवेशः । आदिना तेन धर्षणं णिन्यर्थमाह । शील इति ।

एवमग्रेऽपि । विविरोधे इत्याह । कुत्सितेति । तत्त्वरूपमाह । श्वादिसंबंधस्येति । सौनिकः । स्ना वधस्थानं तत्र भवः सौनिकः । आद्यचार्थमाह । चराद्यादिति । अंगेति । सामान्योक्ताविष स्मृत्यन्तरानुरोधेनाह । करनासाकर्णकरैस्त्रिभिरिति । नासाकर्णकरैस्त्रिभिरित्येव पाठः । दोषद्वय-सत्वान्मुले यथाश्रुते दंडचद्वयम् । दंडद्वयं चोक्तमिति यथासंख्यं प्रत्येकं दंड इति अमनिरासाय ५ दितीयचार्थमाह । चराद्वादिति । अंगच्छेदेन समुचितमिति पाठः । पूर्वचेन तृतीयस्य समुच्ययादंड- व्यदंडद्वयमिति वैषम्याद्यथासंख्याप्रवृत्तेरिति भावः । मनुविरोधं परिहरति । यत्पुनरिति । कण्डका दुष्टास्तेष्ठ पापिष्ठं लवशः अल्पशः ॥ २९७ ॥

#### याज्ञवल्कीये २९८ श्लोकः।

चतुष्पादेत्यत्र समासांतिविधेरिनित्यत्वाछोपो नेत्याह । चतुष्पादेरिति । किं सर्वस्य नेत्याह । १० अपेति । अपेहीत्यस्यायमर्थः । प्रार्थमाह । प्रकेति । तस्याप्यर्थमाह । उच्चौरिति । काष्ठलोष्ठपत्रेष्ठ पाषाणयोर्द्धन्दं कृत्वा काष्ठलोष्ठाभ्यां दंद्दं मत्वर्थीयश्च कृत्वा बाहुराब्देन कर्मधारयं कृत्वा युग्यशब्देन शाकपार्थिवादिदंद्दो वा । पूर्वनिपातप्रकरणमनित्यमिति बोध्यम् । तदाह । तथिति । काष्ठ-पदार्थों लगुडेति । लोष्ठं मृत्यिण्ड इत्यर्थः । सायकेति । पाषाणानामुत्क्षेपणं येनेति बहु-व्रीहिणा बाहुविशेषणम् । पाषाणोत्क्षेपकेणापि पाठान्तरम् । एतेन बाहुना कृत्वा पाषाणोत्क्षेपणं १५ तत्करणेन यो दोषः कृतः स इत्यर्थः इति व्याख्यानमपास्तम् । पूर्वोक्तः मनुष्यः पाणादिक्तपः । प्रास्यतः पक्षिपतः । अपेहीत्यादेर्मध्यमणिन्यायनान्वय इत्याह । अपोति । बाहुः स्वतंत्रं निमित्तं व्याख्यात्रभिमतमित्यन्ये । दृष्टदोषाभावेऽप्यदृष्टदोषोऽस्त्येवेति । प्राग्वदाह । काष्टादीति । अल्पत्वायह । अबुद्धीति बहुवीहिः । न्यूनतां परिहरति । काष्टादीति । चोऽप्यर्थे व्युत्क्रमे च ॥ २९८ ॥

#### याज्ञवल्कीये २९९ श्लोकः।

तोमरादिकस्यापि अन्यत्रापि दोषाभावमाह । किंचेति । फलितार्थमाह । नसीति ।

तिमित्तान्तरमाह । पश्चात् पृष्ठत इति । भूमिवैषम्यादिनेति भावः । यानेत्यस्यानुष्गः । अत एवाह ।

चशब्दादीति । हिंसने तत्रैव । एवस्यात्रान्वयात्तेनान्यत्र दोषसत्ता सूचिता । स्वामिग्रहण
मुपलक्षणमिति आह । प्रेति । यन्तेत्यर्थः । नायं पर्युदासः किंतु प्रसञ्यप्रतिषेध इत्याह । दोषभागेनेति । तत्रानुकं बीजमाह । अतिदिति । तस्य तत्वाभावादित्यर्थः । वादिसंग्राह्यांशे मानं कथन्नाह ।

२५ तथा चोति । "यानस्य वैव यातुश्च यानस्वामिन एव च । द्शातिवर्तनान्याहुः शेषे दण्डो विधीयते ''।।

(मनु, अ. ८ श्लो. २९० ) इत्यस्यादिः । यानस्य रथादेर्यंतुः सारथ्यादेर्यानस्वामिनश्च यस्य

तद्यानं तेषां च्छिन्नमस्मादिति दशनिमित्तानि दंडमितिकम्य वर्तते । एषु निमित्तेषु सत्सु प्राणिमारणे द्वयनाशे च तेषां दण्डो न भवति इति मन्वादय आहुः । एतदन्यानिमित्ते तु दंडोऽनुष्ठीयत इति

तदर्थः । छिन्नोति । इदं पूर्वाद्वर्तेकं सर्वं पूर्वोक्तरीत्या यानिवेशेषणम् । नस्येत्यत्र 'शरीरावय
३० वादिति । प्रामुक्तमेव यानं च यथासंभवं बलीवर्दादिवद्वोध्यम् । युगं काष्ठिविशेषः । वाहशे

स्थादौ तिर्यक् तिरश्चीनं प्रतिमुखं संमुखं वा गते रथादौ भूमिवैषम्यादिना यानस्य चक्रान्तःप्रविष्टाक्षाख्यकाष्ठभंगे तथैव चक्रभंगे च यंत्राणां चर्मबन्धनानां छेद्ने च तथैव योक्त्ररश्म्योच्छेद्ने च योक्त्रं युग्यबलीवर्दादिग्रीवासंबंधिरज्जुः काष्ठं वा रिहमः सामान्यरज्जुः । प्रहरणं वा
दशमं निमित्तमाह । आकन्दे चापीति । अपसरेत्युचैः शब्दे सारथ्यादिना कृते च यानेन
प्राणिहिंसाद्रव्यनाश्योः कृतयोः सारथ्यादेर्दण्डो नास्तीति मनुराहेत्यर्थः । चैवेत्येव प्राग्वत् ॥ २९९॥ ५

#### याज्ञवल्कीये ३०० श्लोकः।

"यत्रापवर्तते युग्यं वैगुण्यात्माजकस्य तु । तत्र स्वामी भवेद्दण्ड्यो हिसायां द्विशतं द्ममिति" (अ. ८ श्लो. २९३ ) मनोर्यत्र सारथेरकौशल्याद्यानमन्यथा वजति तत्र हिंसायामशिक्षित-सारथ्यनियोगस्वामी द्विशतं दाप्यः स्यादित्यर्थस्यानुरोधेनाह । अप्रवीणेति । तत्र शेषे षष्ठीत्याह । गवादिभिरिति । शेषमाह । वध्येति । तत्र तथा वार्थे ह्यर्थमाह । यद्येति । नियोजनेति १० बहुव्रीहिः । विकुष्टेऽपि आक्रोशनेऽपि ।

विशेषमाह । यदा पुनरिति । तदेति । अन्यथा भावे इति शेषः । अभियुक्तः कुशलः । यदि स तादृशस्तद् स एवोक्तं दिशतं दंडं वक्ष्यमाणं च 'मनुष्यमारणे ' इत्यादिना तं सर्वमहिति न स्वामीत्यर्थः । किंच—

" युग्यस्थ्याः प्राजकेनाप्ते सर्वे दण्ड्याः शतं शतम् । स चेत्तु पथि संरुद्धः पशुभिर्वा रथेन वा ॥ '' १५ " प्रमापयेत् प्राणभूतस्तञ्च दण्डोऽविचारितः '' । इति मनुः । (अ. ८ श्लो. २९४।२९५ )

अकुराले तस्मिन् स्वामिसाराथिभिन्ना अन्येऽिष यानारूढा अकुरालसारिधिकयानारोहणात् सर्वे प्रत्येकं रातं रातं दंड्याः । स चेत् **प्राज्ञकः** प्रचुरगव्यादिभी रथांतरेण वा संरुद्धः स्वरथ-गमनानवधानात् प्रत्येकसमर्पणं क्षमः तुरगैः रथेन रथावयवैर्वा प्राणिनो व्यापाद्यित तत्राविचारिता दण्डः कार्य एवेत्यर्थः ।

विशेषांतरमाह । प्राणीति । तस्माद्पीत्यर्थः । उक्तसर्वस्थले एवेति भावः । मनुष्यमारणे प्राजकस्यानवधानायानेन कृते शीघमेव तद्दत् किल्विषी दंडवान् भवेत् ।
किल्विषिमिति पाठान्तरम् । तत्र चौरदंड उत्तमसाहसरूपो भवेत् । न तु मारणरूपः, अग्रे
'अर्धमिति 'श्रवणात् । गवादिषु महत्सु प्राणिषु हतेषु उत्तमसाहसस्यार्द्धपंचशतात्मको भवेत् ।
सुद्रकानां पश्चनां अपचितपरिमाणकाः सुद्रकाः । तत्त्वं च वयसा जातिस्वभावतो वा । तत्राया वत्स- २५
किशोराद्यः, अन्त्या अजाद्यस्तत्रांत्येषु वश्च्यमाणत्वादायानामेवात्र ग्रहणम् । तथा च वत्सकिशोरादीनां मारणे द्विशतो दंडः स्यात् । सुप्रेषु आकारतो लक्षणतश्च मृगेषु रुरुप्रवतिदेषु
पक्षिषु च शुकहंससारसादिषु हतेषु पंचाशदंडो भवेत् । स्वार्थे कः । इंद्वीत्तरपद्को इंदः । गर्दभे ।
छागेडकादीनां तु मारणे रूप्यं पंचमाषपरिमितो दंडः स्यात् । सीवर्णमानग्रहणं तु तत्र उत्तरीत्तरं लघुदण्डोकेः । श्वसूकरनिपातने रोप्यमाषपरिमितो दंडः स्यादित्यर्थः । पंचमाषको माषक इति पाठः । ३०
परिमाणे कन् । पंचमासिकादि पाठे 'अत इति ठन् ' (त्या. स्. ५-२-११५) ॥ ३००॥

# यार्टाव्याप्टि ३०१ श्लोकः।

अन्यद्प्युच्यते इत्याह । किंचेति । एवमग्रेऽपि । जारस्यार्थः पारेति । साकाङ्कृत्वादाह । निरिति । एकवचनोपपत्तये तद्युत्पत्तिमाह । पणानांमिति । समाहारिहिगौ तु पंचशतीित स्यादिति भावः । उत्कोचः उपादानजकर इति प्रसिद्धः । तदेवेति व्याचष्टे । यावदिति । अनुषंगेणाह । ५ दंडिमिति ॥ ३०१ ॥

#### याज्ञवल्कीये ३०२ श्लोकः।

अनिष्टप्रेति । शेषषष्ठचा समासः । अमित्रेति शत्रुस्तुत्यादेरित्यर्थः । सङ्क्तथाकरणे दोषाभावाय । प्रार्थमाह । प्रकर्षेति । तस्याप्यर्थमाह । भूय इति । तस्येवेत्यस्य व्याख्या राज्ञ इति । णिन्यर्थमाह । इति । तन्मंत्रेति व्याचष्टे । तदीयेति । राजकीयेत्यर्थः । स च १० द्विविध इत्याह । स्वराष्ट्रेत्यादि । परस्य राष्ट्रपक्षयोः क्षयकरणस्येत्यर्थः । इत्जो हेत्विति टः (व्या. सू.३।२।२०) परराष्ट्रापक्षयकरेति पाठान्तरम् । तस्य भेदनासंभवादाह । मित्रेति । तस्य राज्ञः शत्रुकरणे- व्वित्यर्थः । विशेषमाह । कोशेति । राज्ञ इत्यादि । राज्ञ इति । नित्यसाकांक्ष्यत्वादेकदेशान्वयः । प्रतिति धर्मपरं तस्य पतिकूल्यविषये इत्यर्थः । उपजापकाः पोत्साहकाः । 'घातयेदिति' स्वार- स्यात् क्रमेणाह । सर्वस्वेति । तथा च घातो नाश इति बोध्यम् । तत्राचे विशेषमाह । सर्वस्वेति । राज्ञापि विशेषमाह । सर्वस्वेति । तथा च घातो नाश इति बोध्यम् । तत्राचे विशेषमाह । सर्वस्वेति । राज्ञापि विशेषमाह । चौर्योपिति । आयुधैः जीवंति ते तथा वाह्यादीनीति । वेश्याद्यपस्त्रीणां तद्दिदां तज्ज्ञानां, वाद्यञ्चातोद्यञ्च तदादि । यद्यपि 'चतुर्विधमिदं वाद्यं वादित्रातोद्यनामकमिति ' अमरात् (१।०।५) पर्यायता तथापि वीणादि सर्वत्वाद्यवांतरभेदाभिप्रायकं प्रथग्रपादानं आनंत्यात् । सामान्येनाह । यद्यति । कारुकाः शिल्पनः । एतत् प्रागुक्तपुकारणत्वावच्छित्रम् ।

२० तृतीये विशेषमाह । **ब्राह्मेति । गौतमं** मानमाह । शारीर **इति ।** आदियाह्यं वन्वने एव व्यक्तं, तच प्राग्व्याख्यातम् ॥ ३०२ ॥

#### याज्ञवल्कीये ३०३ श्लोकः।

लमं विकेतुरितिं शेषे षष्ठीसमासः । एवमभेऽपि । अंगं नैकदेश इत्याह । शरीरिति । गुरुपदमुपलक्षणमित्याह । पित्रेति । अनुमतौ दोषाभावायाह । राजानुमतिमिति । आरोहिति २४ तस्थेति पाठाद्यारोहतस्थेति पाठान्तरम् ॥ ३०३ ॥

#### याज्ञवल्कीये ३०४ श्लोकः।

तथिति समुचये । भेद्नेऽनुकं निमित्तमाह । क्रोधित । आदिना लोभादिव्यवहारद्शायामपीति भावः । द्विनेत्रोति । अत्र समाहारद्दिगुः । पात्रादित्वं च तदाह । नेत्रद्वयमिति । तत्र योग्यत्वायाह । ज्योतिरिति । नतु तेनापि तथोकाविष्ठापत्तिरत आह । गुर्वाद्गीति । आदिना २० स्वस्यापि ग्रहणम् । द्विष्टं देषविषयसतदाह । अनिष्टमिति । तत्स्वरूपमाह । संवत्सरोति । दिष्टादेशेति कर्मधारय इत्याह । क्रपमादेशमिति । अदिश्यमानं वचनं भाषते इत्यर्थः । जीवत इत्यस्यार्थमाह । मोजेति । विभत्वस्य वस्तुतस्तत्र वाधादाह । यज्ञोपेति । तेषां त्रयाणां भत्येकं तथोक्तिफलविशेषमाह । आद्देति । विभववेषित । यज्ञोपवीतादिलिगेत्यर्थः । एवमग्रेऽपि । कचिन्त्यापाठ एव । विशेषान्तरमाह । वृत्त्यर्थमिति । यावदायुर्जीविकावृत्तिः धारिणः श्वदस्य । व्याधिकर । १५ णबहुवीहर्गमकसाध्यत्वादाह । द्विजातिलिन् विष्टा । ३०४ ॥

## याज्ञवल्कीये ३०५ श्लोकः।

विशेषान्तरमाह । यदा पुनिरिति । दोषेण दोषेणैव । विशेषान्तरमाह । यदा त्यिति । उक्तप्रतिज्ञायां मानमाह । पादो गच्छतीति । कर्जादीनां सर्वेषामपि पापप्राप्तिप्रतिपाद्नैतद्वन-बलात् सर्वेऽपि दुष्टत्वेन दंड्या इत्यर्थः । नन्वेकस्यैव पापस्य कर्जादीनां पाद्रूपांशतः प्राप्तेरित-लाभेन दंडोऽप्येतेषामेक एव स्यान्न पृथक् पृथक् इत्यत आह । एतच्चेति । उक्तवचनं चेत्यर्थः । अस्य वचनस्य दोषपतिपाद्ने तात्पर्यं न त्वंशतो दोषप्रापणे इत्यर्थः । उक्तेऽर्थे न्यायस्य १५ जैमिनीयमानत्वं सूचयत् हेतुमाह । कर्तृसमेति । इतःप्राक् यथोक्तमित्यपपाठः । 'शास्त्रफलं प्रयोक्तरि तत्वक्षणत्वादिति' जैमिनीयन्यायेन यः कर्ता तस्मिन्नेव फलं संमतिमिति लभ्यते । तत्र फलं दिविधं ऐहिकं पारलौकिकं च । तत्र पकृते ऐहिकं धर्मशास्त्रोक्त-दंडादि पारलौकिकं नरकादि । एवं स्थिते "रागालोभादि 'ग्त्युपकम्य "सम्याः पृथक् पृथक् दंड्याः '' इति प्रतिपुक्षपमेहिकदंडरूपसंपूर्णफलसंबंधविधानादपूर्वस्य च यत्र कर्तरि स्वयसुत्पन्नं तत्रैव २० फलोत्पाद्कत्वस्वभावकत्वात् प्रत्येकं समग्रफलसंबंधविध्यनुपपत्त्या प्रत्येकं समग्रद्वरितापूर्वसंबंध इति भावः ॥ ३०५॥

#### याज्ञवल्कीये ३०६ श्लोकः।

वर्तियतुः । वादिप्रतिवाद्यन्यतरस्य उद्घृत्यादिना इति भावः । अपिर्च्यक्कमे इत्याह । पराजितो । लिङर्थो विविक्षित इत्याह । मन्यत इति । आयांतमित्यस्य व्याख्या क्रूटेति । २५ आदिना तथासाक्ष्यादिपरिग्रहः । पुनः पश्चात् । एवमग्रेऽपि । धर्मेति । तिनिर्णयस्थानमित्यर्थः । "अधिशीङिति " (व्या. सू. १।४।४६) कर्म । स्वं तेनाधर्मे कृतेऽपि स्वयंधर्मो न कार्यो दोषादित्याह । धर्मेणिति । विरोधं परिहर्तु सविशेषनारद्संमतिमाह । नारदेति । तीरितमित्यस्य व्याख्या साक्षीति । आदिना भुत्तयादिपरिग्रहः । अन्विति अगृहीतदंडमित्यर्थः । अनुशिष्टमित्यस्य व्याख्या उद्भृतिति । गृहीतदंडमित्यर्थः । तथा निर्णयपूर्वकमिति भावः । तदाह । दण्डेति । ३० विधर्मत इत्यत्र वृतीयांतात्तिः । अधर्महेतुकं मन्यते इत्यर्थः । तमिति शेषः । आस्थाय दापिकत्या । पुनः पश्चात् । उद्भरेत् निश्चितुयात् ।

ननु नारद्तो निर्णीतस्यापि व्यवहारस्य तथा सित दंडावष्टभपुरःसरं पुनः करणं पतीयते, मानवे तु तद्वैपरीत्यमिति मिथो विरोध इत्याह । यत् पुनरिति । यत्र कचन धर्माधिकरणे यद्यवहारपदं धर्मतस्तीरितं "पारतीरः कर्मसमाप्तौ" तथा निश्चितं असौ न पुनः प्रवर्तते इति । यच न

केवलं वा सत्यत्वेनोक्तं किन्त्वनुशब्दोत्तरं शिष्टं च स दंडं च कृतं तत् प्राज्ञो राजा कृतमेव विद्याञ्च पुनर्निवर्तयेदित्यर्थः । परिहरति मानवमित्यर्थः । अग्रेऽस्यान्वयः ।

तत्रादौ नारद्तात्पर्यमाह । अर्थीति । वर्तत्वं निष्पन्नत्वं अत एव तत्र विधर्मत इत्युक्तम् । पुनः पश्चात् । मनुतात्पर्यमाह । न पुनरिति । नास्तीत्यर्थः । अत एव तत्र धर्मत इत्युक्तम् । धर्मतो व्यवहारो निणीतं इति निश्चयेन पुनस्तथेति मनुतात्पर्यम्, धर्मतो निणीतं न वेति संदेहे तु पुनस्तथेति नारद्तात्पर्यं, तथा च नारदीयं संशयविषयं मानवं निश्चितविषयमिति भावः ।

विशेषमाह । यत्पुनिरिति । न्यायापेतं तद्रहितम् । न्यायापेतत्वे हेतुरज्ञानकृतमिति पुनः करणे हेतुमाह । अन्यायविहितमिति । अन्यायविहित तदपीत्यर्थः ॥ ३०६॥

#### याज्ञवल्कीये ३०७ श्लोबः।

१० गृहीतिति। अन्यायेन गृहीतस्य दंडरूपस्य धनस्येत्यर्थः। क्वचिद्दण्डस्येत्येव पाठः। अन्यायेनेति छेद् इत्याह। अन्यायेनेति। तत्र निमित्तमाह। छोभेति। वरुणाय निवेचेत्यस्यार्थमाह। वरुणायेद्र-मिति। न ममेति शेषः। स्वयं स्वयमेव। दोषख्यापनार्थमिद्म्। न्यूनतां परिहराति। यस्माञ्चेति। चः समुच्चये ब्युत्क्रमे च। विपक्षे बाधकमाह। इतरथेति। तद्दाने इत्यर्थः। ननु दंडस्वामित्वं राज्ञ एवेति क्रमापहारदेगेषोऽत आह। अन्यायेति। सतिसप्तमी। एवं च परस्वग्रहणं १५ तथेति बोध्यम्। यत्तु मनुनोक्तम्। (अ. ९ श्लो. २४४।२४५)

" अप्सु प्रवेश्य तं दंडं वरुणायोपपाद्येत् । श्रुतवृत्तोपपन्ने वा बाह्मणे प्रतिपाद्येत् ॥ " ईशो दंडस्य वरुणो राज्ञां दंडधरो हि सः।ईशः सर्वस्य जगतो बाह्मणो वेदपारगः॥ " इति। तत् पातकविषयं न्यायगृहीतविषयं च । अत एव—( मनु. अ. ९ श्लो. २४३ ) " नाद्दीत नृपः साधुर्महापातिकेनो धनम् । आद्दानस्तु तल्लोभात्तेन दोषेण लिप्यते ॥ " इति पूर्वमन्यवहितम् ॥

" यत्र वर्जयते राजा पापकृद्धो धनागमम् । तत्र कालेन जायंते मानवा दीर्घजीविनः ॥

" निष्पद्यंते च सस्यानि यथोक्तानि विशां पृथक् । बालाश्च न प्रमीयंते विकृतं न च जायते ॥ "
( मनुः अ. ९ श्लो. २४६।२४७ ) ।

इत्यमे च तथोक्तम् । प्रवेश्य प्रक्षिप्य वरुणायेद्मिति पाग्वत् । ईश इति पूर्वस्य प्रतिपत्ति-२५ विधेरर्थवादोऽयम् एवमग्रीयाविष । जायंते इति वर्तमानवचनमिवविक्षितम् । विक्वतं करणादि-हीनत्विमत्यर्थः । इति शिवं ० ॥

> इति श्रीमिन्मताक्षराव्याख्याने महादेवभट्टात्मजोमाङ्गवैजनाथार्द्धगन् भूतलालाकुष्णजननि पायगुंडोपाख्य श्रीलक्ष्मीदेवी-

> > विराचिते लक्ष्माभिधे व्यवहारप्रकरणं

समाप्तम् ।

॥ श्रीरस्तु ॥

# एतत्पुस्तको द्वृतऋिवचनानां सूची।

अत्रिः पृ. १७२, २१९, २४०. अपरार्कः पृ. २३८, २४९. **आपस्तम्बः पृ. ६, १३६, १३९, १४२, १७८,** २२२, २२३. ( 217192 )-20%. ( २१४११३ **)**–२२४. ( २।१३।१ )-२३५. **आश्वलायनः** पृ. ११४, २**२**५. उज्ञानाः प्र. २५, २३४, २३६, २४२, २८१. ऋष्यशृङ्गः पृ. २१९, २३९, २४३. कल्पतरुः पृ.८३,८४, ८५, ८६, ९३, ९९, १०१, 903, 900, 900, 990, 999, 996, ११९, १२०, १२१, १२२, १२३, १४६, १४७, १४८, १४९, १५०, १५१, १५२, २२८, २५४, २५६, २५९, २६१, २६२, २८५, २८८, २९४, ३०५, ३१७, ३२८, 32 °C, 33 °C, 33 °C, 3 ° कात्यायनः पृ. २५, २९, ५५, ६०, ६१, ७४, ८२, ८३, ८८, ९२, ९९, १००, १०१, 908, 990, 999, 998, 996, 998, 922, 930, 938, 989, 982, 984, १४६, १४७, १४८, १५०, १५३, १६२, १६७, १६८, १७५, १८९, १९०, १९२, १९३, २०२, २०३, २०७, २०९, २११, २१२, २१३, २२१, २२२, १२३, २३०, २३२, २३३, २३८, २४२, २४८, २४९, २५२, २५४, २५५, २५६, २५७, २५८, २६५, २६६, २६७, २६८, २७५, २७६, २७९, २८०, २८३, २८८, ३०६, ३२५, ३२९, ३३६. वृद्धकात्यायनः पृ. ११०, २६३, २६५, २६७. कालिकापुराणम् ए. १८३, १८४, १८६. कुछुकमद्दः पृ. १६६, १६८, १८३, २६५, २८१, 300. कृष्णयज्वाद्यः प्र. २१३० कोर्मम् पृ. २२४, २४१. **कीस्तुभः** पृ. २२५, १३६.

अङ्गिराः पृ. १४२, १८३

**गारुडम् १.** २२०, २४३. गुरु: पृ. ७३. श क्टाएं। पृ. २२८. **गृह्यपरिशिष्टम् पृ. २३**१ गोविन्दराजः १. ३३६. गौतमः पृ. ६, ३१, ३७, ३९, ८६, ९४, १२९, १३२, १३५, १३९, १४०, १४२, १८०, १९०, २०२, २१६, २३१, २६१, २६२, २६५, २६६, २६७, २६८, २७०, २८३, ३३०, ३३८. ३४६. ( अ. १० सू. २९।४२ )–२५३. ( अ. १२ सू. २।३ **)**–३३६. " सू. ४३।४५ )–३२६. ( अ. १७ सू. २२ )-२२३. ( अ. २८ सू. १३।२४ )-२५४. सू. २२ )-२०७ सू. २८ )-१४७. सू. ३०।३२ )-१७५. सू. ३९)-२०४,२२४. वृद्धगौतमः पृ. १८०, २२६, २३७. चतुर्विंशतिः ष्ट. १२७, १५६, २३३. जयादित्यः पृ. १६० जैमिनिः ( १।३।७ )-२२६. ( ३।४।२१ )-१९५. ( ६१३१९ )-२४१. 380. तन्त्ररत्नकृत् पृ. १२५. तैत्तिरीयश्चतिः पृ. १३५. दिवोदासीयः पृ. २३१. देवलः पृ. १३४, १४०, १६९, १७७, १७९, १८७, १९०, २०५, २०९, २१८, २३४, २३५, २५०, २५३, २६०, २६५, २६६, २६८, ३३९, धारेश्वरः प्. २०३, २११. नारदः पृ. २२, ३३, ३७, ४०, ४७, ५३, ६२, ६३, ६५, ६६,६७,७३, ७४, ८२, 90, 97, 90,

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नारदः पृ. ९९, १:०, १०६, १०७, १०८, १०९,
                                            नारदः
         999, 992, 994, 998, 998, 980,
         139, 134, 934, 984, 984, 986,
         १४९, १५२, १५४, १६८, १८४, १९०,
         १९१, १९४, १९७, १९९, २०२, २०३,
         २०४, २०७, २१६, २२२, २२४, २३८,
         २४९, २५५, २६१, २६२, २८०, २८३,
         २८६, २८७, २८८, २८९, २९०, २९२,
                                                 "
         २९५, २९७, ३०३, ३०४, ३०५, ३११,
         ३१३, ३२८, ३२९, ३३८, ३४०, ३४१,
         ३४२, ३४८.
                                                 "
   ( અ. ૧ ૪૪ો. ૧૬|૧૭)–૬૦, ૬૧.
          श्वो. ३८ )–२३९.
                                                 נכ
          श्वो. १०८ )–५५.
      27
          શ્<del>ક</del>ો. ૧૪७ )–૮૧.
         શ્કો. ૧૫૫ )--૮ર
        श्<del>ठ</del>ो. १८८।१९० ) <del>-</del>८५
     ,, श्लो. २०० )–८६.
     ,, श्लो. २४३।२४४ )–१२२.
         श्टो. २५५।३१३।३१५)–१११.
         श्वो. २६८ )–१०७.
         શ્<del>ઠ</del>ૌ. ૨૫૦ )–૧૦૫.
         श्लो. ३०८ )–११७.
     ,, श्हो. ३०९।३१० )-११८.
 ( अ. ३ श्लो. ६ )-५,३२०.
 ( ,, श्लो. १८ )-२८५.
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